California State Archives
State Government Oral History Program

Oral History Interview

with

JOHN E HUERTA

Executive Director Southern California Office
Mexican-American Legal Defense and Education Fund 1980-1985
General Counsel Californios for Fair Representation 1981
Deputy Assistant United States Attorney General 1977-1980

March 7 21 April 9 and May 11 1990
Pasadena California

By Carlos Vásquez
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RESTRICTIONS ON THIS INTERVIEW

None

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John E Huerta Oral History Interview Conducted 1990 by Carlos Vasquez UCLA Oral History Program for the California State Archives State Government Oral History Program

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PREFACE

On September 25 1985 Governor George Deukmejian signed into law A B 2104 (Chapter 965 of the Statutes of 1985) This legislation established under the administration of the California State Archives a State Government Oral History Program to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history

The following interview is one of a series of oral histories undertaken for inclusion in the state program These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms They also offer an increased understanding of the men and women who create legislation and implement state policy Further they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California They include members of the legislative and executive branches of the state government as well as legislative staff advocates members of the media and other people who played significant roles in specific issue areas of major and continuing importance to California

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs

Participating as cooperating institutions in the State Government Oral History Program are

Oral History Program
History Department
California State University Fullerton

Oral History Program
Center for California Studies
California State University Sacramento

Oral History Program
Claremont Graduate School

Regional Oral History Office
The Bancroft Library
University of California Berkeley

Oral History Program
University of California Los Angeles

The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history It supplements the often fragmentary historical written record by adding an organized primary source enriching the historical information available on given topics and allowing for more thorough historical analysis As such the program through the preservation and publication of interviews such as the one which follows will be of lasting value to current and future generations of scholars citizens and leaders

John F Burns
State Archivist

July 27 1988

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INTERVIEW HISTORY

Interviewer

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Interview Time and Place

March 7 1990
Huerta's office in Pasadena California
Session of one hour

March 21 1990
Huerta's office in Pasadena California
Session of one and one-quarter hours

April 9 1990
Huerta's office in Pasadena California
Session of one and one-quarter hours

May 11 1990
Huerta's office in Pasadena California
Session of one hour

Editing

Lisa White editorial assistant checked the verbatim manuscript of the interview against the original tape recordings edited for punctuation paragraphing and spellings and with the interviewer verified proper names Insertions by the editor are bracketed The interviewer prepared the introductory materials

Huerta reviewed the edited transcript and returned the transcript with only minor corrections

Papers

There exist no private papers which the interviewer was able to consult for this interview

Tapes and Interview Records

The original tape recordings of the interview are in the university archives at UCLA along with the records relating to the interview Master tapes are preserved at the California State Archives

BIOGRAPHICAL SUMMARY

John E Huerta was born on April 25 1943 in Portland Oregon and was raised by his parents [Edmundo E Huerta and Ann Marie Fehrenbacher] in Los Angeles California He and his two sisters [Marguerite J and Kathleen M] attended public and private schools in Los Angeles Huerta graduated from California State University Los Angeles in 1965 with a B A in Government He then attended Boalt Hall School of Law University of California Berkeley where he was also an associate editor of the California Law Review

After completing law school he studied and taught at the Catholic University Law School in Lima Peru After returning from Peru he joined California Rural Legal Assistance where he provided legal services to farmworkers in the Santa Maria Valley From 1973 through 1977 Huerta was a member of the law faculty at the University of California Davis and was selected to take a one-year fellowship at the Harvard Law School in 1976 In 1977 Huerta was appointed deputy assistant United States attorney general for civil rights in the administration of President James E Carter

From 1980 to 1985 Huerta was the executive director of the Southern California office of the Mexican-American Legal Defense and Education Fund His litigation was concentrated in the areas of education employment voting rights and immigration

From 1985 to 1990 Huerta was a partner in the law firm of Gronemeier Barker and Huerta In 1981 Huerta served as general counsel to a coalition dedicated to the 1981 California reapportionment This interview focuses on his involvement in reapportionment politics

[Session 1 March 7 1990]

[Begin Tape 1 Side A]

VASQUEZ Mr Huerta tell me something about your life history Where you were born? Something about your upbringing and your parents

HUERTA Okay I was born in Portland Oregon April 25 1943 My father [Edmundo Enrique Huerta] is of Mexican origin My mother [Ann Marie Fehrenbacher] is of German-American background My father's family came from Mexico to Los Angeles in 1922 my dad and his mother and father and about eight siblings So it was a large family They came from what I would consider probably a middle-class Mexican background

VASQUEZ What part of Mexico?

HUERTA Hermosillo Sonora Mexico And my grandfather [Serapio Huerta] taught school in Mexico He taught Spanish I'm not sure where that puts him in the Mexican hierarchy of that time But probably at least middle class if not better

because I don't think that many people had an education where they would turn around and be teachers in a school system

VASQUEZ And it puts him where the victors of the [Mexican] Revolution were doesn't it?

HUERTA What do you mean the victors?

VASQUEZ The northern dynasty of Sonora

HUERTA Right They came after the revolution to Los Angeles He was one of four brothers and the other three brothers have remained in Mexico They're still there and all their families So I have a lot of relatives in Hermosillo One branch of the family after the revolution went down to Mexico City So I have a lot of relatives in Mexico City and I'm still in touch with them Actually I see them and talk to them more often than I talk to my relatives in Hermosillo just because I travel more frequently to Mexico City than I do to Hermosillo

VASQUEZ What were the political leanings of your family in the revolution? And/or the experiences that you know about?

HUERTA I don't really know anything about that It isn't something that was discussed a lot as I

recall I wasn't raised speaking Spanish My grandfather and grandmother [Amalia Peralta Huerta] did not speak any English The only time I really [tried] to communicate with them about that was when I was studying Spanish in high school I'd go over on weekends and talk with them But we never got into anything that sophisticated in terms of my Spanish to be able to discuss their politics

VASQUEZ So they immigrated to the United States as well?

HUERTA Yes

VASQUEZ With your parents?

HUERTA Yes

VASQUEZ Or before?

HUERTA Actually the oldest brothers came over first and set up a household Then the parents came and the rest of the siblings

VASQUEZ And where did they settle?

HUERTA Where did they settle?

VASQUEZ How did you get to Portland Oregon?

HUERTA Let me answer the first question They settled in essentially downtown Los Angeles My dad went to What junior high [school] was that? I can't recall the name of the junior

high It's right where the L A Convention Center is and there's a little street there which has the name of the junior high It was torn down to put up the convention center Then he went to Poly [Polytechnical] High School which is no longer in existence It's the same high school that [Mayor Thomas] Tom Bradley went to And one of my uncles [Jesus Huerta] went to school with Tom Bradley and ran track with him And I want to say Sentuce but that's not it

VASQUEZ That's what I thought It was Sentuce [Junior High School]

HUERTA Was it? Do you recall a junior high in L A ?

VASQUEZ Yes I think there was Let me I'll find it Don't worry about that We can track that down

HUERTA I know it because my aunts used to be cheerleaders and they sing this song with the school's name [The song is Sentuce Will Shine sung to the melody of Our Boys Will Shine Tonight] They do it as kind of a joke at family parties But I remember that I'm just going blank because I do know the name of the school I've gone by that street and seen it

Anyhow my mother came down and worked as a dental assistant in Los Angeles She was set up on a blind date with my father by mutual friends that they had and they fell in love They got married down in Tijuana [Baja California] and lived here in L A My oldest sister Czarina [A Huerta] was born here And during World War II

My dad didn't serve in the service but he worked in the navy shipyards He had a civil occupation that gave him an exemption from service And he worked up in the shipyards in Portland Oregon My sister Marguerite [J Balich] and I were born in Portland 1943 and '44 Then in '45 he came back down to Los Angeles So he only lived a couple of years in Portland and had two children there Then I had a third sister Kathleen [M Huerta-Enochian] who was born back here in Los Angeles

VASQUEZ So it was the work in the shipping industry that took him to Portland?

HUERTA Right He was a general laborer in the shipyards I don't think he had a very highly sophisticated job He did get a job later on in the aerospace industry in Los Angeles He was a

draftsman Essentially what they do is draw templates that are cut out and later used for aircraft parts and things like that We were raised in essentially what is South Central Los Angeles or Southwest Los Angeles We originally in 1945 lived on Ninety-sixth Street and Normandie [Avenue] Then a couple of years later we moved to 106th Street and Normandie I attended Woodcrest Elementary School I started there in kindergarten and went to the third grade Then a Catholic church was built Saint Frances [X] Cabrini and I was transferred to Catholic school and went there from 19 Well I went there from the third grade through 1957 when I graduated from eighth grade Then I went to Serra High School in Gardena Father Junipero Serra it's named after It's run by the Marianist Brothers I graduated from Serra in 1961 Then I went to what was then Los Angeles State College [now California State University Los Angeles] '61 to '65 then to one year at Hastings College of the Law '65-'66 and then [Boalt Hall School of Law University of California] Berkeley '66-'68 That's kind of an overview of my education

VASQUEZ Let's go back a little bit Well let's get some things out of the way At Cal State you were student body president weren't you?

HUERTA Yeah

VASQUEZ If not the first Chicano or Mexican-American then one of the first ones

HUERTA Yeah I was the first one

VASQUEZ Tell me about that a little bit and the period that you were there What was happening at Cal State? What was happening in Los Angeles?

HUERTA Well the Chicano movement was very nascent at that time I think there was a lot of awakening of our origins A lot of the Latinos at Cal State L A in those days are people that are around now [Councilman] Richard [J] Alatorre was a student there Felix Gutierrez was student body vice president Felix later got his Ph D from Stanford [University] in communications [Robert] Bob Carrasco was elected the associated men's student president at the same time He has his Ph D from Harvard [University] in education and teaches on the faculty at Arizona State University at Tempe That's Arizona State College Tempe

VASQUEZ No that's a university

HUERTA A university? And the associated students vice president I'm pulling a blank on his name He's an attorney [Leonard Torres] in private practice just up the street here right now The year before there was a Chicana AWS [Associated Women Students] president Mary Ann González I don't know what she's doing right now But essentially that student government at Cal State L A There weren't a lot of Chicanos on campus There were probably 20 percent maybe

VASQUEZ That sounds awfully high

HUERTA I don't know whether they improved that much over the years There weren't as many Asians There are a lot more Asians there now There's probably an equal number of blacks It was considered a commuter college It was the first year they ever took a first-year entering class Cal State L A prior to 1961 was a junior/senior college campus for L A [Los Angeles] City [College] Originally it was on the L A City campus and you could go your junior and senior year at L A [Los Angeles]

Trade Tech [College] Then it moved over to the East L A site where it is now remained a junior/senior college And in 1961 they started with an entering class and we were the first entering class My freshman year I ran unopposed for what was called the Student Contact which was kind of a position where you're supposed to be the liaison for the student government to the freshman class My sophomore year I ran for student body sophomore class president And then junior year I ran for student body vice president and then for student body president That was kind of the order of succession

We didn't call ourselves Chicanos in those days We were Mexican-Americans primarily if you asked Either that or you were Mexicano or Mexican One of those three

VASQUEZ Before we get into that what motivated you to run for office on a consistent basis for the student body?

HUERTA I started getting what I would call politically active I remember the [Governor Adlai E] Stevenson-[General Dwight D] Eisenhower campaign in 1956 I was still in grammar school at Saint

Frances Cabrini I remember my parents debating politics My mother and father are very strong Democrats and I remember dinner conversations about that The kids I went to school with at Saint Frances Cabrini were primarily white I was the only non-white kid there I was dark-skinned a lot darker than anyone else and they treated me differently I think that created a lot of my identity as being Latino The other thing was my mother Even though she's of German-American extraction she loves Mexicans--that's why she married one--and she really pushed the Mexican culture very strongly My dad who was very dark very prieto was just the opposite He wanted to become more Americanized He didn't want to teach the kids Spanish [he] wanted to assimilate more He was teased by all his siblings about being so dark He was always called Prieto and it really bugged the hell out of him [Laughter] So he bent over backwards just to be the opposite Of course I was his curse because I love Mexican music and food and culture and everything about it I was trying to soak up as much as I

could So anyway

VASQUEZ Who was most influential in this cultural affinity? Your mother?

HUERTA It's hard to say most influential I think a lot of my values came from my mother in terms of a commitment to serving people

VASQUEZ Is that from where your interest in politics also comes?

HUERTA Yes Both my mother and father loved to discuss politics and argue over politics a lot And having heard that around the dinner table I got active I have a sister [Czarina] who's five years older than me who was very influential I remember during Little Rock [Arkansas] She was active in Young Christian Students [YCS] But the archbishop of Los Angeles [James Francis McIntyre] outlawed the organization in 1957 She got me active in it in my grammar school in Saint Frances Cabrini We were meeting in cells We would use the principles of observe judge and act We would meet and we'd talk about racial integration and what was happening in Little Rock and whether we saw segregation around us

VASQUEZ You were still in high school when this was going

on?

HUERTA No I was in grammar school

VASQUEZ You were in grammar school?

HUERTA I was in the seventh or eighth grade and the archbishop outlawed this organization Well that had a radicalizing influence on me because I thought What we're doing is very Christian in outlook There's nothing wrong with it And for him to say that this organization can't exist seemed to me wrong Because we were just applying the teachings of the gospel to social justice situations So we continued to meet after that and discuss And I enjoyed doing that

Then when I went to high school I got involved with the anti-HUAC [House Un-American Activities Committee] events that were occurring I went to some demonstrations I recall my senior year in high school that the Catholic church showed a My high school showed a movie which was called Operation Abolition It was a movie that depicted the communist movement that had influenced and undermined everybody that was involved in anti-

HUAC activities And it showed Bettina Aptheker for example speaking to a crowd at UC Berkeley and then the students marching This was with Mario Savio--you might recall--in 1960 with him marching into the hall of administration there and then closing it down Well I read a review of it in the Saturday Review I had a voracious appetite for reading magazines when I was in high school And Saturday Review was one of the magazines I was reading They did a review of this movie which showed that the whole thing was cut and spliced out of sequence That the filming of students marching on the administration was at some other time related to a free speech movement The anti-HUAC thing was given days later in a speech given by her There was no march into the administration after her speech It kind of laid all this out So I wrote an editorial for the student paper--I was a member of the student paper--on this thing It was published and the administration really came down on me because of that They had wanted to throw me out of the school

VASQUEZ It got that serious?

HUERTA Well it was a conservative school What they had said is an alumni had sponsored the film and I was being critical of the alumni Primarily I just took the information I'd gotten from the Saturday Review and what it was saying about how we have been given false information about what was happening in the real world there And we should really be more critical of the information that's fed to us as students We should evaluate it ourselves and reach our own decisions about what's right and what's not right Anyhow I felt very independent and very political because of that I remember getting in lots of arguments with students on political themes A lot of students weren't very political in those days

VASQUEZ This was not long after the time of the loyalty oath controversy here in California Were you aware of that at that time?

HUERTA Yes I was But that wasn't an issue that I got involved with When I went to Cal State L A I got involved with a whole bunch of different political activities I think one of the first steps I took as student body president in 1964

Students were demonstrating at UC Berkeley and Mario Savio was leading them again And I sent a telegram of support They were demonstrating over getting the U S out of Vietnam at the early days And I sent a telegram of support and a copy to the Cal State L A student newspaper [University Times] over at

VASQUEZ This was as student body president?

HUERTA Yes when I was student body president So on behalf of the student body I indicated our support And

VASQUEZ What was the fallout from that?

HUERTA I got a very positive response Felix Gutierrez who was student body vice president and was editor-in-chief of the student paper wrote a very supportive piece in the student paper [Laughter] But it really kind of shocked everyone because all the student body presidents before me had never taken any political positions I saw being student body president as an opportunity to speak out on different issues

I canceled the homecoming queen elections

because there was an all-white selection of queen candidates at Cal State L A They were all white male judges and I felt it was an unfair process I was reversed later on by the board of directors But I took that action unilaterally and it created a lot of debate on campus about selection procedures So that the following year they were a lot fairer But we went ahead with those candidates that particular election They had it anyway

I was involved in picketing the president of the campus who was a guy named [Franklyn A] Johnson who was a very conservative guy from back east I haven't thought about this stuff in years But to give you an idea I recall that Cal State L A The Rumford Fair Housing Act[1] had passed in 1964 and we had asked the campus to initiate a fair housing program That anybody who wanted to list with the student activities office--a list of housing available off campus--had to sign a declaration that they wouldn't discriminate in the making of

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1 A B 1240 1963 Reg Sess Cal Stat ch 1853

availability of housing And the dean [Morton J Renshaw] that was in charge the associate dean in charge of students and all kinds of social activities I think he's basically a decent guy but he came down saying that wasn't fair to the homeowners to put that restriction on them Because he said if they wanted to discriminate then they won't list and that's going to hurt the students Johnson supported that position and I thought it was wrong I said If we're going to make a public service available to them it should be on a non-discrimination basis available to all students We started demonstrating and the president dug in all the more And that's kind of the way it ended up that year nothing was resolved

The following year when I was in law school I found out the president resigned What happened was the faculty supported the students in that position and they voted a no-confidence [in him]

VASQUEZ So it was over this issue?

HUERTA Over this issue Voted no-confidence in the president and he was forced to resign He only

ended up serving I think two years as president of the campus So I think students did learn that they have power and they can change things around And I was a small part of that

VASQUEZ Tell me about your involvement with the Mexican-American Students Confederation [MASC]

HUERTA Well that was later That was at Berkeley

VASQUEZ Not at Cal State?

HUERTA It wasn't at Cal State At Cal State I started a tutorial program for Chicano students at Lincoln High School I did that between my sophomore and junior year and got students involved in tutoring And it was primarily It was open to anybody to participate but it's primarily Chicano students who did that There really wasn't a Chicano student group at Cal State L A who met as Chicano students Chicanos were involved more in fraternities They were involved in the service programs But there wasn't any movement per se that there was a MEChA [Movimiento Estudiantil Chicano de Aztlan] or MASC in those days I think it started in the following year in 1966

VASQUEZ It started as UMAS [United Mexican-American

Students] I believe

HUERTA Yes down there In southern California it started as UMAS but in northern California it started as MASC which was the Mexican-American Student Confederation I went my

VASQUEZ You were a founding member?

HUERTA Yes

VASQUEZ Tell me a little about the folks that were there

HUERTA That were involved in it?

VASQUEZ Uh-huh [Affirmative]

HUERTA Okay

VASQUEZ Ysidro Macias was he there?

HUERTA Yes Sid was there Sid Macías And [Salvador] Sal Alvarez And Carlos Zaragosa

VASQUEZ Armando Valdez

HUERTA Huh?

VASQUEZ Armando Valdez? Was he around? Armando Valdez? Do you remember him?

HUERTA Yes Armando was there He's the guy who graduated from Stanford [University]?

VASQUEZ Yes

HUERTA Yes He was head of La Causa [Publications] in those days in Oakland And of course our mentor was Octavio [I] Romano [V] He was on the

faculty there Octavio was a wonderful symbol for us He was the first I had met Dr Ralph Guzmán at Cal State L A just when I was leaving And chatted with him I was just thrilled by the fact that here's a Mexican that joined the faculty, because all my Spanish professors at Cal State L A were either from Spain or from South America And there was no one that was of Mexican-American origin no one I felt that I could identify with

VASQUEZ Did he just get there when you were leaving?

HUERTA He just got there when I was leaving I was a graduate student the summer of 1965 there I remember chatting with him when he joıned the campus about things I told him about this paper that I had done on MAPA [Mexican-American Political Association] And he was telling me about the project he was doing with the Ford Foundation and things like that

Let me give you a little bit of educational background on me Having gone to Catholic school I got a pretty good education But I wasn't an outstanding student I was accepted at UCLA and could have gone there but dıdn't

because I was afraid that it was such a large campus that I'd be lost I didn't know Cal State L A was over 20 000 students in those days I had only heard from my counselor that this would be the first year they'd be taking an entering class So I expected to see a really small student body

My counselor by the way in high school had advised me not to go straight to a four-year institution He advised me to go to a two-year institution They had recommended a course of studies for me that did not involve college prep courses And my dad and my mother went through the roof and forced me [to] essentially They said We're going to take him out of the school unless you put him in the college-track courses And they put me in reluctantly saying You're going to flunk out So it made me all the more determined to do well in those particular courses I got B's in geometry which was the main one I took advanced seminars in Russian literature and drama and other things that the school offered There were tracks They had the elite college students then kind of the second corps of

college students then the third tier which were people who may go to community college and then the bottom tier folks who were doomed to shop classes and trade skills That was the way it was set up

VASQUEZ Was this at Cabrini?

HUERTA No Serra High School

VASQUEZ Serra High School?

HUERTA Yes So when I started there I was in the third track I think between my freshman and sophomore year I got into the Because geometry was clearly a college-prep course and that was not available to a third-track student So I got into the second track at that time It wasn't labeled as a track but you were aware of it That the people in the first track were taking Latin and those in the second tract were taking French and the bottom two tracks were taking Spanish for example in foreign language It was like dumbbell English and dumbbell math And shop is what all of the folks in the bottom track got

VASQUEZ What was the racial composition at that point of the school?

HUERTA At Serra?

VASQUEZ In the tracks?

HUERTA Oh in the tracks The bottom track was primarily Latino and blacks to the extent that there weren't very many Latino and blacks then Maybe 10 to 15 percent of the school was Latino And there'd be a sprinkling of Latinos in other tracks I don't think there were any Latinos in the top track at all Serra drew from Palos Verdes Peninsula Rolling Hills and the beach areas like Manhattan Beach and Redondo Beach That's where the wealthy kids came from It also drew from South Central Los Angeles and from the Long Beach area essentially That's where a lot of the Chicanos came from And it had a sprinkling of Asians Since it was in Gardena it had a couple of Asian students The blacks again all came from South Central Los Angeles Generally the blacks and Latinos were very good athletes and were not looked at as being very bright potentially in terms of academics

So anyway having fought that one battle and having won it gave me a lot more self-

confidence When I graduated from Cal State L A I had a pretty good grade point average I was a member of the Blue Key Honor Society [I] had made the dean's list about oh half of the time that I was there probably two out of four years [I] had a pretty high upper-divisional grade point average I don't recall exactly what it was but it was quite good

I took the LSAT [Law School Aptitude Test] and I completely bombed it I got thirteenth percentile from the bottom Having been student body president I thought before I took the LSAT that I would probably be in demand because my grades were high I had worked my way through college working about twenty hours a week

VASQUEZ Doing what?

HUERTA I worked on the trains at There's a company called something Warner-Lambert They make pharmaceutical products And I worked as a custodian at Cal State L A and I delivered newspapers Essentially I paid my way all through high school to go to the Catholic boy's high school and then through college through self-supporting jobs like that I worked at a

liquor store and did an odd number of jobs

But anyway I thought I would be in pretty big demand So I applied to Harvard [University Law School] Yale [University Law School] Columbia [University Law School] Berkeley and UCLA [School of Law] and got turned down across the board at all these institutions I was notified that I was put on the waiting list at Hastings even though I was rejected everywhere else That's why I enrolled at Cal State L A in the graduate program Because that summer I figured if I can't go to law school I may as well go into political science No offense to any academics [Laughter] But I started and took a couple of seminars at Cal State L A that summer and worked at Cal State L A

It turns out that when I got accepted to Hastings on a waiting list I had to go up and enroll in class Oh not enroll Get up and get an apartment Attend classes for six weeks Hastings always accepted a lot more than what they could enroll because they'd have students who'd pay a hundred dollars to save their seat

Because once you got accepted to Hastings that generated revenue for them Students who would later get accepted at other schools--like Berkeley or UCLA--they'd go there and then they wouldn't have enough to fill their class Hastings started earlier than everyone else So I went up and started classes there I bought all my books and attended classes And about six weeks into the program I was permitted to enroll I ended up in the top 2 percent of my class at Hastings [I was] invited to join the Thurston Honor Society and the Hastings Law Review all kudos Hastings was very conservative as law schools go They had no flexibility in the curriculum The only classes that you could opt out of in the core curriculum were during your senior year You could choose between admiralty and maritime law and something else that was totally irrelevant as far as I was concerned So I decided to transfer to Berkeley where beyond your first year practically everything was elective And I went over there

VASQUEZ Is that why you decided to go over there? Because of that flexibility?

HUERTA That was the primary motivation The second one was Berkeley had higher status It was considered a better law school It was a totally different legal educational environment Hastings had huge lecture halls Berkeley had smaller seminars where you got to know the professors I think I got a better education at Berkeley because of that

VASQUEZ You were an associate editor I understand of the California Law Review

HUERTA Yes After my first semester I was in the top 10 percent of my class and selected to join the Law Review I did join the Law Review And it created a problem for me because I had taken a seminar from a professor who was very much revered in legal philosophy and international conflicts of law His name was Albert Ehrenschweig He's now dead but at the time he was considered one of the leading jurisprudents in the United States In fact he came from an Austrian Jewish-Austrian background Of course he had an international reputation in this field I had taken a seminar from him on jurisprudence He was impressed by my

participation in the class and got me a fellowship to The Hague for that summer

VASQUEZ Why?

HUERTA I had always wanted to go to Europe and here was my chance with a complete scholarship Only two were given in the United States It's a very competitive scholarship And I couldn't go because the Law Review said I had to do all the cite checking that had I come into the Law Review in the beginning of my first semester as everyone else had--or actually third semester of law school in my second year first semester of my second year--I would have done all of this cite checking which is kind of the grunt work that students on the Law Review do I had to make up for that by doing it during the summer So I had to choose between joining the Law Review and going to The Hague And I decided to opt for the Law Review

VASQUEZ Who was advising you on all of these academic moves that you seem to be very astute at making at the time?

HUERTA Really nobody I would talk to friends of mine that were other students but I didn't have any

academic adviser I think I would have done things differently had I had somebody to go to I should have had someone at Berkeley when I was at the top of my class that said John you ought to try and clerk for a federal district court judge or a judge in the court of appeals and maybe the Supreme Court But no one ever said anything to me about the importance of clerking So I never applied It never even dawned on me this was something valued I knew no lawyers The only lawyer I knew I used to babysit for when I was in high school He worked for Gibson Dunn and Crutcher And his name was [William] Bill Tucker He got me a summer job at Gibson Dunn and Crutcher That was another job I had both in high school and then in college

VASQUEZ Doing?

HUERTA I worked in their print shop in their Xerox room running Xerox machines and stuff But I never got to talk to any of the lawyers socially or got to mingle with them I probably should have approached Bill Tucker and said Bill This is five years later because I think I stopped working there in my first or second year

in college Bill I'm doing well in school What do you think I ought to do with myself career-wise? And I never did that I tried the traditional approach of interviewing Wall Street firms and I got a very cold reaction from them I remember one law firm that I interviewed at I really thought I was hot stuff with these great grades going into the interview and they only asked me two questions about myself It was about a half-hour interview They asked me if I had a Spanish surname and if I was of Mexican origin And that was all they asked me about myself Then they went on to talk about the firm and the stuff they did It was so unlike what you'd expect in a job interview where I had written a Law Review article and I expected them to discuss that Or just ask me what I wanted to do with my career Nothing like that I got a rejection by return mail the next day So it was pretty clear to me that they weren't interested in me because--I assumed--of my Mexican heritage

There was a student who didn't In fact I found this a number of times Students who didn't make Law Review who had

lower standings got follow-up interviews and got job offers and that sort of thing I mentioned it to one of my law professors who mentioned it to another law professor who used to work for that particular firm And the firm sent me a telegram of an offer to come out for an additional interview in New York and that they would pay my way out I did not follow up on that I was so pissed off But I remember at the same firm talking to a woman named [Alison G] Anderson who is now a professor of law over at UCLA School of Law She told me that the firm had told her up front they would be glad to hire her for the summer and that the firm would enjoy having her work for them but the firm doesn't have any women as partners and will [never] have any women as partners They just wanted to make it clear to her up front This was 1968

VASQUEZ What firm was this?

HUERTA You know I'm not positive of the firm's name because they all kind of sounded the same to me I mean I shouldn't say that as a lawyer but Wall Street firms I think it was

[Cary] Gottleib But I wouldn't bet the bank on it because there were three or four that I interviewed [at] I didn't get offers from any of them Some of them went through the entire interview process and actually asked me questions and I got rejected But generally what the process was is they would fly out to Berkeley interview you and then there would be follow-up interviews at the law firm Well I never got an invitation for a follow-up interview and as I say people did who didn't have as high an academic standing as I did Now that isn't as common today But in those days these firms only hired people that were in Law Review and in the top of their class

VASQUEZ Did you attribute it then to your being Mexican?

HUERTA Yes Pretty clear to me in my mind that was their motivation

VASQUEZ Tell me about this Is this what took you to the International Legal Center in New York?

HUERTA Well

VASQUEZ The inability to get into Wall Street?

[Laughter]

HUERTA No No I had decided I didn't want Wall

Street I was interested in Latin America and I started auditing courses at Berkeley in Latin America I became a Latin American Studies Center fellow As a center fellow I got free Xerox privileges and free use of their facilities to read their journals and stuff like that I heard about this opportunity with ILC International Legal Center And I applied to them and took advantage of their fellowship

I had gone to Mexico in the summer of 1962 to the cursos de verano I had studied Spanish in high school and college This was between my freshman and sophomore year in college

VASQUEZ Was this at UNAM [Universidad Nacional Autónoma de México] or at Colegio [de Mexico]?

HUERTA At UNAM I went with Jorge Huerta Jorge is a professor of drama at UCSD [University of California San Diego] And we became good friends We weren't related I'd watched Jorge Huerta as a kid on TV

VASQUEZ Is he still at UC San Diego?

HUERTA Yes He's at UC San Diego Because I saw the credits There's a program on TV in Los Angeles called "Science Fiction Theatre that used to run

on I think KTLA He appeared periodically in these programs and the screen credits that say Jorge Huerta He'd be the little Chicanito there And so when I went to Cal State L A

This is quite a few years after that In a science class they called roll and they said John Huerta ' Then they said Jorge Huerta And we were both surprised and we saw each other We chatted afterwards and determined we weren't related His family was here when my family They came about the same time His family came from Jalisco But anyway we became and have remained pretty good friends ever since [We] traveled to Mexico together and went to cursos de verano I became fairly fluent in Spanish during that period of time which permitted me to apply for this ILC job which I got

VASQUEZ And that was in Peru?

HUERTA In Peru

VASQUEZ In Lima Peru

HUERTA Right

VASQUEZ Tell me about that What was that about?

HUERTA Well I was supposed to work with a professor on

agrarian reform The notion that the Ford Foundation had was that we're going to team up young American lawyers with young Latin-American law professors and they're going to interchange ideas The law professors were brought here In the case of Peruvian professors they were brought to Wisconsin They studied American law teaching techniques and research techniques And they were going to apply them in their classes in Peru The notion is We're going to send them law graduates who have gone through this process that will work with them develop materials and teach And I was supposed to be part of that

VASQUEZ What institution of Wisconsin was it?

HUERTA University of Wisconsin Law School

VASQUEZ At Madison?

HUERTA Yes

VASQUEZ Okay

HUERTA One of the professors that was brought up was a guy named [Guillermo] Figallo He taught at the Catholic University in Lima Peru at the law school And I was going to work with him Well on September 20 1968 there was a coup [General] Juan Velasco Alvarado took over the

government in Peru I had gotten there already and started attending classes I was just auditing the classes meeting the professors and going through them I had been there a couple of weeks We heard that morning that there was a military coup As I got into the colectivo[1] to go into Lima--I was living in Miraflores--you could see the army bivouac on the intersections There was a student in my colectivo I remember shouting things out at the military guy and the guy aiming his machine gun at the kid in the car and my pulling him back thinking Jesus it's all over before I even start [Laughter] We got to school and the university was closed down I talked to the professors about my situation I said 'Gee I don't know what to do A couple of days later Figallo contacted me and said John don't worry about it I'm a very close friend of Juan Velasco Alvarado He turned out to be one of his closest political advisers He says

[End Tape 1 Side A]

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1 Collective public bus

[Begin Tape 1 Side B]

HUERTA He said Let me know what you want to do So I started asking around about the government and what they're planning to do One thing I had heard about was that there was going to be a new water reform a new water law passed in Peru That the military government was looking at agrarian reform and water law

VASQUEZ Had you already done agrarian reform law in law school?

HUERTA Pardon?

VASQUEZ Had you specialized in agrarian law?

HUERTA No But I read about it quite a bit when I was a center fellow There weren't any courses on that at Berkeley in those days [Kenneth] Ken Karst in fact was the only one around who was teaching in that area I had contacted Ken and met him before I went down to Lima Peru And Ken also had Norris Clement who was working in the area contact me Norris came down and stayed with me in Lima

VASQUEZ Is that right? Was he already an economist?

HUERTA Oh yeah

VASQUEZ He was teaching at San Diego State [University]

then?

HUERTA I believe he was And in terms of the economy of Peru water is the key to power Because what you have is a desert coastal area The rivers that flow down from the Andes on the western side irrigate these river valleys It's their most plush agricultural lands And the top twenty families all own these huge estancias that have these cane sugar and rum factories on them They make toilet paper from the bagazo and stuff like that So how water is distributed is really key to agrarian reform and to political power So I thought This sounds very interesting

It's also the key to reform because water was not used in Peru in a very efficient or productive manner The owners of these huge estates had the right to take as much water as they needed And they would often take it Because they didn't need the wealth they held their land for the power and prestige of owning the land not for the income that would be derived from it So they didn't administer these estates in a cost-efficient way They would overwater and ruin many of their crops just

because they had the water They wanted to flaunt it and use it and what they didn't use would run off into the ocean

So I worked with this water law commission But I also realized I didn't know very much about the Peruvian legal culture nor did I know very much about the reality of how the current water law system works So I got a job working in the mornings with engineers in the Peruvian water bureau and we would go out to farms and to people who had requested to sink wells and I would see how the Peruvian bureaucracy worked Then I worked in the afternoons in the asesoria legal the legal adviser's office to the water bureau to see what they did--and tramitando [processing] all these papers Then I would work with the water law commission reviewing their drafts and making suggestions for changes in my spare time That's what I did essentially the first year or so there

VASQUEZ How long were you there?

HUERTA Two years It was a two-year fellowship Then I worked in agrarian reform after that I believe

I had written something on both water law and agrarian reform which is in the publications list that I've given you In those two jobs I had a chance to travel all over the country and really get to know the reality of Peruvian rural life It was a great two years for me And I did a little bit of teaching The Catholic University opened up and I worked with a different professor at that time Figallo didn't return to teaching right away I worked with Roberto McClean who was later appointed to the supreme court of Peru on teaching a comparative class between American and Peruvian constitutional law

VASQUEZ What did you learn about being an American a Mexican-American and an American lawyer in your stay in Peru?

HUERTA Well it gave me a lot of insight into [Interruption]

It gave me a lot of insight I think into myself into Peru as a country and the difficulty of development And a lot of insight into the United States One of my publications that's listed there is Peruvian Nationalizations

of U S Property Peru had appropriated expropriated quite a bit of U S corporations when they went through their period of nationalism And the U S used about every international mechanism to choke them off from the world community So I learned a lot about the economic power of the United States to get its will done and how it backs up its investments abroad That was an eye-opener to me I had read about it before but this was something I witnessed and viewed first hand I viewed the

[Interruption]

I could view a lot of the pollution that American corporations were doing I mean Cerro de Pasco for example is a great example where this corporation would go in and refine copper And they didn't put smoke stacks on their I don't know what it's called [The] refinement process

VASQUEZ Furnaces I suppose

HUERTA Yes So all these copper fumes would go and kill off all the vegetation in the altiplano And the native people couldn't make a living on the

land So they moved off Then they [the American corporation] would go in and buy up the property Then they'd put the anti-pollution things on their smoke stacks and turn that back into highly valuable land for grazing of sheep So they would have the best sheep in Peru

You know I could see Marcona Mining [Company] going in and using Peruvian rivers just dumping all their effluent right into the rivers that people lived off of all the way down the basin All this pollution that would occur and they had no incentive no economic reason

I see the same thing occurring in Mexico in many areas also We kind of spoil their natural resources because there are controls on us here We couldn't get away with doing that here Or we'd have to compensate people because of our doctrine of nuisance when we take value away from someone else's land

VASQUEZ So when you got back you went to work for the California Rural Legal Assistance [CRLA] right away did you?

HUERTA Right

VASQUEZ Tell me about that

HUERTA Okay

VASQUEZ First of all what year would that be?

HUERTA Well I got back in 1970 We're talking about August of 1970 I had taken the state bar exam in 1968 when I graduated from law school and I passed it But I didn't get sworn in until August of 1971 when I got back from Peru I got sworn in and took a job with California Rural Legal Assistance I had met the folks from CRLA when I was at Berkeley and had an offer from them when I graduated But [I] went to the ILC thing instead I was assigned to Santa Maria and César Chávez was very active in organizing farmworkers in Santa Maria Valley We did a lot of work in support of the [United] Farm Workers For example [once] when they went out on a strike they were evicted from their housing tenant housing They were often housed right on growers' properties And they were given three-day notices to quit I fought to keep them in housing and was successful in keeping them in for about a three- or four-month period And I did general legal services It was good all-around training for me in poverty

law isues

VASQUEZ How long were you there?

HUERTA I was there only a little over a year My wife [Gloria Valladolid Huerta] decided that she wanted to complete here education and get a teaching credential She had traipsed around with me quite a bit She got accepted at a program at University of San Diego So we moved down to San Diego and that's where you and I met at that At least I remember meeting yu in I think 1971

VASQUEZ Uh-huh [Affirmative]

HUERTA Bert Corona gave a speech that I went to and you were there with Bert I opened up my own law practice in san Diego and was babysitting my daughter [Xana Serena Huerta] essentially and practicing law out of my house My wife was a full-time student Our marriage was going

VASQUEZ I got married in 1965 And our daughter was born in Lima Peru in '69

VASQUEZ Now in San Diego you again did legal defense?

HUERTA Yes

VASQUEZ Community legal defense stuff Didn't you?

HUERTA Yes Now before I did that when I was practicing out of my house I volunteered with the Chicano Federation I was general counsel of the Chicano Federation

VASQUEZ That's right You were

HUERTA I volunteered one day a week at the Chicano Federation doing legal services work for free for the community And I worked for the MAC [Mexican-American Action Commission] Project which I think was the Mexican-American

VASQUEZ Confederation?

HUERTA No It was the Chicano Federation The MAC Project was a job It's the equivalent of the CETA [Comprehensive Employment and Training Act] and jobs in the SER [Jobs for Progress] program It was a job-training program

VASQUEZ That's right

HUERTA I don't know what kind of federal funds Probably War on Poverty funds And I worked for them and did other stuff I represented [Alberto] Al Urista for example There were some demonstrations--we called them police riots --at San Diego State Al Urista was being indicted for a charge of leading the student

demonstrations They had trashed the administration building set some files on fire

VASQUEZ Was he on faculty already do you remember?

HUERTA Yeah He was on the faculty there at the time The Chicano Studies faculty

VASQUEZ Right Right And how did that turn out?

HUERTA I got it dismissed I went and met with the district attorney and essentially we reviewed newsreels adn things like that and proved that he didn't cause the activity that was involved And they dismissed So

VASQUEZ And in fact he even went on to become directory of that program [Laughter]

HUERTA Yes

VASQUEZ All right When you left you went to Harvard You went to a Harvard program Tell me about that in '76 and '77

HUERTA Okay Essentially I did criminal defense work in San Diego Then I went to UCD [University of California Davis] School of Law Taught law school from '73 to '76 at UC Davis Then I went to Harvard in the [Fellowship in the] Law and Humanities Program from '76 to '77 That was the program that was one of the greatest boondoggles

I've ever had in my entire life They selected thirteen professors from throughout the United States Law professors from competition and had interviews and selected them We had a seminar at Harvard where we could audit any classes we wanted at Harvard University In addition we read I think it was about one book every two weeks or every week What we would do is select a book in either literature history or philosophy somehow related to the law bring in the author fly him in from Stanford or from the University of Wisconsin or from MIT [Massachusetts Institute of Technology] next door if that was the case and discuss the text with him There were thirteen of us sitting around a conference table our conference table and [we would] do that That was really a great year That's when I wrote my piece on Peruvian nationalizations and worked with Chicano students kind of as an adviser informally for the Chicano students at

VASQUEZ At the law school?

HUERTA Yes At Harvard both at the law school and the undergraduate students and students at Wellesley

[College] [That] was a pretty close-knit community because there weren't any really professors that they could look to at any of those institutions that were Latinos that they could identify with So they kind of glommed onto me as somebody that was interested in

VASQUEZ Tell me about some of the students that you remember at the time that were at Harvard

HUERTA Okay Some of them are still around here right now Let me see if I can One guy's name is I think Rogelio Campos And Rogelio just started with a very good firm in Beverly Hills He had worked at the assistant U S attorney's office and had gone with another firm here in town Most of the Harvard students Just having graduated from Harvard opens lots of doors just like my having graduated from Berkeley and having been on Law Review [It] just opened lots of doors and lots of opportunities to me

I'm having a hard time remembering the names of the students I can picture their faces Students at Harvard were I found very conservative compared to students at Berkeley

VASQUEZ Across the board? Or among the Mexican-Americans?

HUERTA Well among the Mexican-Americans I'm talking about primarily They were clearly upper-class Mexican-Americans Not maybe upper-class in terms of American society but obviously the elite and the cream of our students They were good people But I don't think they had a strong sense of what they wanted to do as lawyers and they were easily assimilated into the system by and large Not everybody But many of them were

VASQUEZ Tell me about your stint in the [President James E] Carter administration

HUERTA Okay I served as deputy assistant attorney general for civil rights in the Carter administration starting from fall of '77 right up to the election

VASQUEZ This was under Attorney General Griffin [B] Bell right?

HUERTA Right Attorney General Griffin Bell appointed me Those are my letters of appointment there And then Benjamin [R] Civiletti took over as attorney general I continued serving under

him It was considered a political appointment There are two deputy assistant attorney generals in the civil rights division or there were in those days One is a career civil servant and the other is a political appointee They assist the attorney general essentially Excuse me They assist the assistant attorney general In charge of each litigating division there's an assistant attorney general And I worked with Drew Days [III] who was the assistant attorney general as his deputy in running the civil rights division It was more of a management job than it was a legal job although I was involved in arguing some cases and negotiating some cases and heading up a task force on a major investigation that we did But

VASQUEZ Into what?

HUERTA Well I argued one civil rights case for example before the Fifth Circuit involving my being a prosecutor which probably never before that time [had I] even imagined my being But there was a Chicano Vietnam War veteran that was beat up by the Houston Police Department dumped

in a bayou and he drowned

VASQUEZ The [Joe Campos] Torres case?

HUERTA I don't think it

VASQUEZ Oh we can come back to that in the citation [1] It was a famous case

HUERTA Yeah Yeah It's a very famous case Got a lot of publicity and there was a lot of heat about it because he was prosecuted under Texas law They were convicted of misdemeanors Then there was a federal prosecution and Judge Ross Sterling the federal district court judge gave them probation again He said You can't blame these police officers They're just a product of their environment The Houston police environment is anti-Chicano They just violate civil rights across the board So I'm not going to blame these guys They've suffered enough by all this bad publicity Of course my argument back is Can you say to a Chicano who's violated a law You're a product of your environment A lot of kids in your neighborhood smoke dope and therefore we're not going to prosecute you for

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1 U S v Denson et al 588 F 2d 1112 (1979) aff'd 603 F 2d 1143 (1979)

smoking dope which is a violation of the law I mean they would not apply that same reasoning The Justice Department appealed that case and I argued it before the Fifth Circuit We reversed the judge The argument was essentially 'Trial judges don't have the authority to grant probation in a violation of the civil rights statute where a life has been taken It was primarily a question of interpretation of congressional intent and statutory law And we were successful in that

I was involved in negotiating the city and county of San Francisco police suit that Justice had sued them for discriminations against Latinos and blacks And I was involved in an investigation of the closing of a hospital by the state of New York This was a massive joint investigation between the civil rights division HEW [United States Department of Health Education and Welfare] and the U S attorney's office in New York the southern district What we had done regarding the closing of the hospital in terms of our bringing an action showing that it was racially motivated because it

was primarily a black community There were numerous other things but those were kind of the major ones But essentially we were involved in policies setting policy for the civil rights division Addressing its resources That's when I testified for example about U S compliance with the Helsinki Accords I worked a lot with the State Department on allegations of U S violation of international human rights investigating those allegations We were bringing prosecutions to show that the United States was following the law

VASQUEZ Uh-huh Uh-huh [Affirmative]

HUERTA It was a great three and a half years Drew Days was a great person good administrator outstanding lawyer Learned a lot from him Then I went to work with MALDEF [Mexican-American Legal Defense and Education Fund]

VASQUEZ Before we leave there don't be too modest

HUERTA Okay

VASQUEZ You were awarded the Justice Department's Special Commendation Award ?

HUERTA Right

VASQUEZ For what?

HUERTA That's this one up here It's called the Blue Fuzzy " That was for my overall leadership within the division in terms of carrying out the goals of the division the management having worked many long hard hours and doing outstanding service for the division

VASQUEZ What did you learn there about being an attorney and being a Mexican-American attorney at the Justice Department?

HUERTA Well Washington really hadn't discovered Mexican-Americans very much or Chicanos It was an eye-opening experience The Latino appointees were primarily Mexican-American We met as a group That was fun It was kind of heady days We were filled with our own sense of self-power and aggrandizement

VASQUEZ Was Ralph Guzmán then in the State Department at that time?

HUERTA Yes Ralph was in the State Department

VASQUEZ This isn't under the deputy secretary for Latin-American affairs right?

HUERTA That's correct And I got together with Ralph quite a few times and talked about his trips to different places Ralph and I became good

friends during this period of time We've reacquainted our friendship But there were a lot of good people [Ambassador] Esteban Torres was ambassador to UNESCO [United Nations Educational Social and Cultural Organization] at that time and later became special assistant to President Jimmy Carter There were folks throughout the government Essentially Latinos are terribly underrepresented in Washington D C So you always explain to people why we're considered minorities also It's a given that blacks are Most people come with the framework that they're the only minorities Maybe they've heard of Mexican-Americans or Puerto Ricans or Cubans but they don't really understand They kind of lump us all together assume we're all the same and don't understand anything about our contributions to this country or any kind of discrimination that we suffer And so you're kind of always in a process of explaining and educating wherever you go

VASQUEZ Tell me of your understanding of the genesis of the term 'Hispanic about this time Is that part of this mind-set that you're telling me

about?

HUERTA Hispanic' is clearly an east coast government term that's used I don't know the genesis of it It was used there when I got there

VASQUEZ Already? In the late seventies?

HUERTA Yes 1977 is when I got there and it was used then I don't think I really ever heard it before then I may have heard it before then but I don't think I understood it But the way I looked at it it was a government term that kind of lumped everybody together that was of Latin-American origin but included also people from the Iberian Peninsula It may have some derivation in Section 8a of the Small Business Act[1] which set up the special preferences for people who came within that classification I think the term Hispanic is used in that legislation That was already in place well before That actually probably came out of early seventies with the [President Richard M] Nixon administration But anyway that's the term that was used throughout the federal

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1 Small Business Act 15 U S C ç 1982 (1958)

government and at that time

VASQUEZ Is it a good term for equity and for civil rights concerns and for Mexicans to adhere to do you think?

HUERTA I don't think it's a good term if it creates problems in communication It depends who you're trying to communicate to Maybe from one government bureaucrat to communicate to another government bureaucrat about a class of people--as opposed to blacks whites or others--that Hispanic is a group that has been an all-inclusive term I prefer the term Latino myself

VASQUEZ Why?

HUERTA I don't know that I can give you any good reason other than that it's a term that I find in wider acceptance amongst Latinos Hispanic ' because it was coined by the federal government people feel it s their label for us as opposed to our label for ourselves And being a Latino stresses a source of commonality amongst other groups and it recognizes our differences at the same time If you're talking to a group that's primarily Mexican or Mexican-American then I think

Mexıcano or Mexicano-Americano is a very good term to use But you don't want to make other folks feel unwelcome or uncomfortable in the dialogue So Latino is a little broader term

I remember the first meetıng that we had you had asked me about MEChA going back to Berkeley We ran an ad I remember in the Berkeley student newspaper [Daıly Californian] for our fırst meeting of MASC Sid and I and all these other guys There was a core of maybe a dozen of us that were active Somehow we had found that there were about forty Mexican-Americans on campus I don't remember whether we got that fıgure from the administratıon or what But we wanted to meet the rest of the forty because there was only twelve of us that were busting our butts doıng all the work We called a meeting and had ıt in the student union A huge mass of people showed up So we went around the room identifying everyone Everyone's from Peru Ecuador Cuba Argentina [Laughter] All these foreign students wanted to be involved and be supportive of the Chıcano

student movement

VASQUEZ Really?

HUERTA And there were a couple new Chicanos that showed up

VASQUEZ How did you guys handle that?

HUERTA We welcomed them to the group and some of them did participate in it I remember one guy who was Cuban Fernando Peña? Peñalosa? Or Penabar? I'm sure you

VASQUEZ Peñalosa the sociologist?

HUERTA Yes that's probably him [He] was one of them And we had a talk off the record sometime about him [Laughter]

VASQUEZ Tell me about MALDEF why you went to MALDEF why you came to MALDEF in what 1980 was it?

HUERTA Yes in 1980

VASQUEZ Where did you make the connections? Over there?

HUERTA Oh no I had When I was teaching law school at Davis In I think 1973 or '74 I contacted Vilma [Martinez] I volunteered to serve on a pro bono basis for MALDEF anything they wanted

VASQUEZ You're talking about Vilma Martinez?

HUERTA Yes she was the president of MALDEF And [I]

said If I can be helpful in any way I'd be glad to do it I knew Mario Obledo when he was the head of MALDEF in 1970 We founded a group I was the founding member of the What was it called in those days? It was the Mexican-American Bar Association of California Maybe it was called MABAC It later became La Raza Lawyers of California and it's still in existence But Herman Sillas [Jr] and Mario and myself and Cruz Reynoso and those folks we started that organization in 1970 I kept in touch with Mario and MALDEF lawyers during that period of time while I worked for CRLA and then later when I went down to San Diego But when I got into law teaching I felt I wanted to remain active and I did some volunteer work for the United Farm Workers in the legal defense of people that were being prosecuted for trespassing and [had] contacted Vilma The only work that I got out of it was doing a critique of an amicus [curiae] brief that they had done in the Bakke [v Regents of the University of California] [1] I

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1 Bakke v Regents of the University of California 438 U S 265 (1978)

was involved in that which unfortunately meant when I went to Justice as Justice was developing its position on Bakke I had to recuse myself because I had taken a position earlier in the case with MALDEF when it was being litigated in the California Supreme Court That's unfortunate because I didn't feel strongly about the Justice Department's position in that brief I don't know whether I could have been an influence to anybody because it was such a highly visible case But anyway

VASQUEZ I think we've reached our time

HUERTA Okay

[End Tape 1 Side B]

[Session 2 March 21 1990]

[Begin Tape 2 Side A]

VASQUEZ Mr Huerta when we last spoke we were I believe talking about your tenure with MALDEF What exactly was your involvement or the limit to your involvement on the Bakke case? Could you clarify that for me?

HUERTA Yes when I was a law professor at the University of California Davis I had volunteered to do some work for MALDEF on a pro bono basis and one of the items that I worked on was reviewing MALDEF's brief in the Bakke case I don't recall whether it was before the California Supreme Court I believe that's where it was at the time but it may have been with the U S Supreme Court And because of that involvement when I got to the Justice Department I had to recuse myself from any participation in Justice's deliberation the Department of Justice's deliberation on the Bakke case The government

did submit a brief in that case so I wasn't able to work on any aspect or participate or contribute to it Then when I came to MALDEF I could not be involved in any case that I'd ever worked on at Justice That was a lifetime disqualification and then any case that I had directly supervised or indirectly supervised there was a three-year disqualification I believe Also there was a one-year disqualification from contacting anybody in the department on any matters dealing with the area where I had worked So essentially that's the conflict of interest's revolving doors provisions of Title 18 of the U S Code [Ethics in Government Act] [They] have criminal penalties attached for any violation of that

VASQUEZ Now did MALDEF You began there in November 1980 is that correct?

HUERTA That's correct

VASQUEZ As associate counsel Or executive director that would be?

HUERTA Right

VASQUEZ What areas were you most involved with besides education?

HUERTA Actually MALDEF is divided up by grants and lawyers work on projects I was director of their ımmigration and naturalization project at that tıme Nınety percent of my tıme was devoted to immigration work when I initially started out It was only later that I was eventually divided up to something like 20 percent educatıon 20 percent immigration 20 percent reapportionment or voting activıties and 20 percent employment discrimination So ıt was really across the board And I had general management responsıbilitıes So that was a defınıte problem for the office Before I got to the office it had only been a one-lawyer offıce I negotiated with Vilma Martínez a commitment to expand the office to four lawyers before I came so I had that commitment from them to beef up the office

VASQUEZ Who were the other three attorneys?

HUERTA Angel Manzano was there when I came He had worked at Justice with me in the civil rıghts divısion and left to go to work wıth MALDEF in L A When I got there we hired María Rodríguez and Linda Wong Then when Angel left whıch he

did to go to private practice we hired Anna Segura to replace him That was probably a year a year and a half after I'd gotten there So essentially there was a team of four lawyers María Rodríguez was in charge of Chicana Rights Project and Anna Segura was in charge of employment litigation and Linda Wong was the head of the immigration project

VASQUEZ The immigration field was very exciting at that time A lot of movement

HUERTA It really was

VASQUEZ Tell me some about MALDEF and more particularly some of your involvement in this

HUERTA Well we outlined a strategy MALDEF was one of the diehards in opposing the [Senator Alan K] Simpson-[Congressman Romano L] Mazzoli[1] legislation A lot of organizations involved in Capitol Hill Washington D C politics get involved I think in a negotiation syndrome where they want to be part of the process and influence it So once they count the votes up and figure

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1 There were variations of this legislation over a number of years that culminated in the 1986 Immigration Reform and Control Act

Oh we can't win this one We're going to change our strategy and try to make it better MALDEF because of our board I think is the primary agency responsible for that took a very firm line that they would not support employer sanctions under any conditions So we fought it to the end And when I joined MALDEF in 1980 it was a kind of foregone conclusion that employer sanctions were going to pass In fact we fought it and I testified before Congress several times --as did Linda Wong subsequently and numerous MALDEF people--and we forged a coalition We really kept it strong within the Latino community having a uniform viewpoint of opposition to employer sanctions I was involved in a lot of media work debating leaders from the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations] who supported it There's a guy named Jack [F] Otero who's the head of the He's a Cuban who's head of the--I think--Railroad Union [Transport Workers of America] But he was head of LCLAA which is the Labor Council for Latin-American Advancement or something like that He's on the board of

directors at the AFL-CIO

VASQUEZ Outline for me this debate and the position that MALDEF was taking against employer sanctions and what the logic is behind that

HUERTA Well we felt pretty strongly and since then it's been confirmed--because the legislation did pass I believe in 1986--that employer sanctions would have a negative impact on the Latino community That it would generate a lot of discrimination against Latinos and other foreigners Essentially those employers that may tend to desire to discriminate against Latinos will have an easy out say to do that There's going to be another group of employers who don't have any ill will against Latinos but in order to avoid coming into any conflict with the law will just say Look I don't want to deal with all this paperwork or I don't want to worry about INS [Immigration and Naturalization Service] coming in here I'm going to stay away from anybody who looks foreign or speaks with a foreign accent And that goes for Asians or Central Americans or blacks from Africa I mean just a flat way of not dealing with those

folks And that tends to discriminate and have an adverse affect in our community Generally that's been borne out by subsequent studies of the Department of Fair Employment and Housing here in California This last year they came out with a study and said that's exactly what happened And the General Accounting Office of the U S Congress did a study of the first four years of the employer sanctions and found serious discrimination against the Latino community and Asian community by employers

VASQUEZ Why do you think that employer sanctions were eventually instituted?

HUERTA Employer sanctions were instituted not When you look at who favored employer sanctions and who didn't It was Newsweek magazine and U S News & World Report and the media that portrayed all these hordes of illegal aliens coming into the country [They] showed things like Mexicans carrying other Mexicans across the Rio Grande on their back Essentially in California Arizona and New Mexico--the Southwest--where there are large numbers of undocumented Mexicans there is not this

paranoia It's places like Kentucky and Idaho and Wyoming It's I think no insignificant fact that Simpson comes from Wyoming and Mazzoli comes from Kentucky These folks who have no contact at all with Latinos are scared to death of them because of the way the media portrayed the issue

Of course there are all kinds of negative myths and stereotypes That these aliens want to take away jobs from American workers and number two that they use government services in great numbers Neither one is true In fact there's a report in today's L A Times March 21 1990 that shows a study of immigrant aliens and shows that they underutilize government services

VASQUEZ That's been the results of just about every study that was done even in the late seventies

HUERTA There's a really constant stream One study I love to use all the time was L A County did their own study I would debate [Los Angeles County Supervisor Michael D] Antonovich and [Los Angeles County Supervisor] Deane Dana and make these guys look like fools at least in my mind because here I had county studies that showed

that undocumented aliens didn't use county services And [they] were payıng taxes contributing to the tax base through property taxes When they rent a home that landlord uses part of that ıncome to pay property taxes When they buy products sales taxes are taken out So they were contributing to taxes and not receıvıng the benefits to which they were entıtled

VASQUEZ I believe that report also solicıted letters from all eighty-two or eighty-three cities of the county and they got letters in each and every case saying that they could not support the contention that these people were a burden on the local social services Is that rıght?

HUERTA That's correct These guys loved to hammer away on that myth and these polıticians [Los Angeles County Supervısor Peter F] Schabarum included have all made their political careers by usıng the Mexıcan illegal alien as theır whippıng boy ın order to get theır essentıally mıddle-class support White folks that lıve in the San Fernando Valley and regions of the San Gabrıel Valley that don't understand the dynamıcs and believe that these guys are tellıng them the

truth to get that support They'll tell you personally they don't believe it Another guy that I've debated is Tirso Del Junco who was head of the Republican party at that time in California He would tell me off-air that he really thought they were good for the economy and he gave me all kinds of reasons This is an area by the way that is really interesting because it's almost libertarian economics in a way in terms of supply and demand of labor and trying to restrict the market So you get these right-wing Republicans that are saying Well we've really got to control the flow of the market here You get some really unique arguments on both sides They'll tell you one thing on the air and a totally different position off the air

VASQUEZ How was the employer sanction element used in this debate? That's what I'm trying to get on the record here

HUERTA Well the theory behind employer sanctions is that employers are going to be fined if they hire illegal aliens and that is the control element If there's no

VASQUEZ If there's no attraction

HUERTA Right If there are no jobs available to them they'll no longer come to this country That's been proved false Right after employers sanctions passed the flow of illegal aliens First of all they don't know anything about the flow That's pretty evident because their apprehension rates is what they use to measure the flow You may catch the same guy ten times in one week and it's counted as ten different illegal aliens and ten apprehensions You don't know how many get through the system They've never known that You get these wild estimates of the number of illegal aliens that are present in the country You have the head of the CIA [Central Intelligence Agency] saying There were ten million back in the 1970s And in fact

VASQUEZ That was [CIA Director William] Colby right?

HUERTA Yeah that was Colby

VASQUEZ I think you are quoting the Playboy interview where he said it was the greatest security threat to this country rather than the Soviet Union

HUERTA Right But good demographers who have looked at

it for example look at death rates We know how many people are born here and we know what average life expectancy is If you find a higher death rate than expected for a given population that you can't attribute by looking at lawful immigration and birth rates and the normal expected death rates then the difference between them is your illegal alien count That's been done by several demographers They came up in 1980 that it was less than 2 million people You have incredible figures being thrown up all the way to 100 million in these debates Of course the Federation for American Immigration Reform [FAIR] were very active and I was involved in debating them a lot I debated them on KABC and I was red-baited They accused me and MALDEF of being a communist-front organization because of the position we had taken on employer sanctions

VASQUEZ What other issues were in contention when you came to MALDEF in the immigration field?

HUERTA Well employer raids INS raids of employers who hired illegal aliens was a very hot issue We took a very

VASQUEZ Is this what they called surveys ?

HUERTA Yes that was the euphemism they'd use They'd have different names like 'Operation Cleansweep was one MALDEF went to work defending those cases I argued one case before the Ninth Circuit en banc That means the entire panel of all the judges of the Ninth Circuit come together to hear it MALDEF won that case in the Ninth Circuit and INS appealed it to the U S Supreme Court This was Sandoval-Sánchez versus the INS Ninth Circuit case [1] And it was joined with another case called Lopez Mendoza versus INS which was another factory raid The Supreme Court unfortunately after hearing the argument reversed the Ninth Circuit on this case The Ninth Circuit's decision was the first time that the exclusionary rule of the Fourth Amendment [applied] It says if you have an unlawful search and seizure by the Immigration and Naturalization Service you must exclude the

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1 Elias Sandoval-Sanchez v Immigration and Naturalization Service 705 F 2d 1059 (1984) Immigration and Naturalization Service v Lopez-Mendoza 468 U S 1032 (1984)

evidence from that [case] The Supreme Court on a 4 to 5 a very narrow vote reversed that It was a misfortune

VASQUEZ Were you involved at all in Operation Jobs'?

HUERTA Oh yes

VASQUEZ Tell me about that

HUERTA Well again that was

VASQUEZ It was in 1982 I believe

HUERTA Right MALDEF filed a lawsuit which is still being litigated It's in front of Judge [Robert P] Aguilar--it's the only one he hasn't recused himself from given his current problems--in which MALDEF got an injunction against the Immigration and Naturalization Service from their sweeps The case that I argued grew out of Operation Jobs That's the one I argued in the Ninth Circuit There were a half dozen other cases that were involved in that There was another one called

VASQUEZ Before we move on let me just explain for the record Operation Jobs was a very highly publicized highly visible media event--an extended media event--that the [President Ronald W] Reagan administration launched to connect the

downturn in the economy with what they argued was the rise of illegal immigration

HUERTA Right

VASQUEZ The notion was that if you removed illegal immigrants from jobs then much of the unemployment that American workers were suffering in the peak of that recession would in fact be alleviated

HUERTA That's right What occurred for example in Los Angeles is they'd do a raid at a shoe factory and then they would advertise that there were jobs here for American workers and come down The media would go down and interview American workers who got in line and took these jobs Well L A Times went about thirty or sixty days after Operation Jobs had taken place and found that all the American workers had left just about They interviewed those American workers the same ones the L A Times had interviewed in their initial ones and found they didn't like the work It was low paid it was dirty it was a kind of a dead-end job They didn't see any advancement so they quit and they went back on welfare which was a more acceptable alternative

to them

VASQUEZ Maybe you could talk a little bit about the strawberry fields in Anaheim which might be even more illustrative of this

HUERTA Right Well the Anaheim strawberry fields are just another example of the same phenomena where INS did a raid and they got American workers down there and they didn't even last a couple of days' [Laughter] That back-bending work and they were long gone and they were paying above market rate I forget what it was an hour Twelve or thirteen dollars an hour is what a good strawberry picker can make picking those So it wasn't like these were unattractive jobs to American workers but at that rate American workers didn't want those jobs They still today are going to foreign workers and in many cases undocumented foreign workers and INS is just kind of closing their eyes to it They know You can drive down the freeway going to San Diego and you see those folks out there [with] that occurring

VASQUEZ What other issues were you involved in in MALDEF? Before we get into reapportionment

HUERTA Well we were involved in employment discrimination litigation and education issues The whole gamut The attack on bilingual education was going then In terms of employment there was a case where the county did right for once They had to have layoffs and cutbacks [Interruption]

There was a layoff of probation workers and they exempted bilingual workers MALDEF had sued the county [earlier] over not having enough bilingual workers in order to give services to the Spanish speaking population So when they had a layoff they exempted from the layoff certified bilingual workers And the union sued saying This is discriminatory against union members who don't speak Spanish ' Or whatever languages that they had I don't remember how the trial judge ruled in it but I argued the case in the court of appeals We intervened in the litigation and essentially supported the county

VASQUEZ Which is a rarity isn't it?

HUERTA Yeah it is a rarity when they act right We thought it was important to do because we saw

the union suing them and there not really being the will there The other thing is we wanted to advance arguments the county wouldn t advance There's a case called the Los Angeles County Federation It's the AFSCME union Do you know what they stand for? AFSCME union versus Los Angeles County[1]

VASQUEZ American Federation of State County and Municipal Employees

HUERTA [Rodolfo Valdez] Berumen was the name of the intervenor and what we argued successfully was Look there's been a history of discrimination against Latinos here in the county There s a need for bilingual services There's the [Mervyn] Dymally-Alatorre Bilingual Services Act[2] that the state of California has passed that they're required [to follow] It sets up a formula in which if a certain percentage of the service population is monolingual in another

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1 American Federation of State County and Municipal Employees Local 685, AFL-CIO v County of Los Angeles Rodolfo Valdez Berumen, Intervenor 14b Cal App 3d 879 (1963)

2 Dymally-Alatorre Bilingual Services Act Cal Govt Code ç 7290 et seq (1973)

language then they are required to have employees to service that population The court of appeals agreed with us and ruled in our favor essentially So there were all kinds of employment discrimination litigations We brought class actions against food market chains We sued Von's [Grocery Company] before they had [William] Bill Dávila as president for employment discrimination I think we sued Lucky Stores [Inc] and Alpha-Beta [Company] but I'm not positive about those latter two I was involved in the Von's litigation and in the early stages of the other ones We got goals and time-tables for Latinos to be hired by those employers In the area of education we did a major investigation of Los Angeles County schools and the Los Angeles Unified School District in particular We found that in spite of the litigation which said School districts have to be funded on an equal amount so that Beverly Hills kids get the same amount as Los Angeles schools and Compton schools

VASQUEZ Was this Serrano v Priest?[1]

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1 Serrano v Priest 483 P 2d 1241 1244 (Cal 1971)

HUERTA Yeah that's what the Serrano v Priest decision holds We found that within the Los Angeles Unified School District there were great disparities in monies that were being spent on Anglo kids More money was being spent on them than on Latino kids That and the use of the magnet school system was being discriminatory against Latinos also All the magnet schools were being put in white neighborhoods There was a lid on enrollment in white neighborhoods So those were being kept small schools where whites were being kept to about 60 percent of the population They said if it dipped below a majority of whites then there would be white flight They later changed those down to 40 percent but MALDEF filed litigation That case is still being litigated Today I understand it's getting ready to go to trial because of the five-year rule now But the demographics of the district have changed When we started the investigation whites were around 25 percent of the district and in every year after that it dropped by a few percentage points So that Latinos in about '85-'86 were around 65 percent

of the district Blacks had actually dropped down to about 18 percent whites were around 15 percent of the district Asians are the remaining population and they have increased over the years But essentially by maintaining small schools with small teacher/student ratios for the white students those schools really have more resources They got really nice campuses where Latino kids are in overcrowded campuses That is just really gross discrimination and so we were involved very actively in the school education issues

Chicana rights is another issue where we are involved in litigation We sued the county over the Job Training Partnership Act [1] They would set up formulas that discriminated against Latinos but more strongly against Latina women by the formulas that they would use for awarding funds and projects within that We were successful in that litigation We sued the county also for denial of health care to undocumented aliens [We] got an injunction

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1 Job Training Partnership Act 29 U S C ç 1501 (1982)

against them and successfully settled that case and the injunction stayed in effect That followed Doe v Plyer[1] which MALDEF was involved in in the U S Supreme Court which for the first time held that undocumented alien children were entitled to equal protection under the law

VASQUEZ This was the Texas case?

HUERTA Yes And I was active in developing the Justice Department's position on that case When it came to MALDEF I wasn't able to take any position or get involved in that case But both Justice and MALDEF had taken the same position and the case came out the right way

VASQUEZ How did you get involved in reapportionment? Or get interested in reapportionment?

HUERTA Well MALDEF considered that an important area They had done a lot of the litigation before I got there kind of the key cases One of them is White v Regester[2] that comes out of Texas and held essentially that it is discrimination

If there is gerrymandering of racial

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1 Plyer v Doe 457 U S 202 (1978)

2 White v Regester 412 U S 755 (1973)

groups then the courts are empowered under the Voting Rights Act[1] to straighten that situation out MALDEF was successful in litigating White v Regester So with redistricting occurring in 1980 it was one of our areas of responsibility Although only 20 percent of my time during that forty-hour week was devoted to that all the rest of my time was purely on a volunteer basis on behalf of the community The first thing that occurred was that within MALDEF we had made a commitment to get involved in it The Rose Institute [of State and Local Government] under the leadership of Richard [A] Santillan called a meeting of Latinos from throughout the state

VASQUEZ Before we get into that let's give some historical background--your understanding of historical background--to gerrymandering a reapportionment process in the Mexican-American community in California And let's go back at least a decade What do you know of the 1970 reapportionment?

HUERTA Well I'm not sure that my recollection is very good now I was better informed about it I'm aware

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1 Voting Rights Act 42 U S C ç 1973 (1982)

that there's been discrimination against Latinos How lines have been drawn historically is one way of keeping Latinos out of power I remember the Los Angeles County Board of Supervisors I think Congressman [Edward R] Roybal was on the city council and ran for the board of supervisors I don't remember the name of the guy who

VASQUEZ Ernest [E] Debs

HUERTA Yes he ran against Debs And he had a pretty close challenge to him I think it was 1958

VASQUEZ Right Twelve hundred votes he lost by

HUERTA Lost by 1 200 votes And shortly after that with the sixties reapportionment they decided that it was important to move Debs's district around and divide the Latino population up between two districts and that's exactly what happened We got split so they wouldn't get challenged by Roybal or any other Latino over the next decade In 1970 the county continued to do that As our population grew they chopped us into three districts at that time In 1980 they did it The state legislature also followed a similar path There weren't any

I don't know who the first one is right now My recollection is it was around 1962 that the

first Latino was elected to the legislature I used to know all of this

VASQUEZ [Assemblyman Philip L] Phil Soto

HUERTA Phil Soto Was that the right year?

VASQUEZ Yes

HUERTA In the 1970s there was a group It wasn't called Californios for Fair Representation

VASQUEZ It was called Chicanos for Fair Reapportionment

HUERTA Right Chicanos for Fair Representation were involved MALDEF sued the Los Angeles City Council in 1970 over redistricting They only redistricted based upon registered voters in this city of Los Angeles We took that all the way to the California Supreme Court who ruled that that isn't a fair basis for drawing lines It's got to be based upon population It violates the one man one vote doctrine And in 1970 I believe there was litigation that was settled but I don't remember the history I wasn't involved in that at the time because that was the time that I was in Peru when that got real hot and heavy So I don't remember the details but I know that Herman Sillas [Jr] was very active

They sent in I think it was tea bags

--but I'm not positive--to the legislature to represent Was it tea bags or pies? They sent pies I think to the legislature to show how we were carved into communities or something like that We had suggested using that as a means in 1980 but I don't think we ever got around to doing it It was mailing in tea bags to represent the Boston Tea Party that the Latino community is being gerrymandered and not getting fair representation

I don't recall whether we actually did that or not But essentially the way that we looked at it is that there was a history of discrimination against Latinos In fact the legislature readily admitted it in their hearings that we had before them When we would say 'Look what happened to us in 1950 When you superimposed the growth of the Latino population in the fifties sixties seventies and eighties with the lines that are drawn you can see a fracturing that takes place Maybe a district would fall because of the growth of the population over the decade fully within the district And you could see when they redrew the lines they'd divide that Latino population into two or three districts It's a way of keeping us weak

so that we can't elect someone of our own choosing

VASQUEZ And was there a higher propensity for one party to do that than another?

HUERTA I don't believe so I think it was in the interests of both parties to do that Democrats looked at Chicanos as being solid Democratic votes So what they wanted to do was pad safe votes into their districts Republicans wanted to see Latinos over-concentrated in districts so that it would use up more Democratic votes Additionally incumbents generally liked to have people who were going to support them in their own districts And you can never have too many from an incumbent's point of view of those folks in there So essentially at least from my understanding of the fifties sixties and seventies Democrats and Republicans both kind of went along with packing Latinos in the Democratic seats Because it wasted Democratic votes from a Republican's perspective and it made districts safe for Democrats from a Democratic perspective

VASQUEZ All right So now you've got a sense of the history of gerrymandering and reapportionment as to how it affects the Mexican community in California and specifically in Los Angeles Tell me now how the

events unfolded for 1980

HUERTA Okay In 1980 there was a meeting that was called by Richard Santillán and Alan Heslop at the Rose Institute of Chicano organizations statewide to focus on the census and redistricting And we came together at that meeting I believe it was in early 1980 although I'm not positive of the date I could probably look it up for you

VASQUEZ It was in January

HUERTA January 1980?

VASQUEZ February 7

HUERTA Okay February 7 1980

VASQUEZ No no I'm sorry That's the Cal State [Los Angeles] meeting There was a meeting before that So it was in January

HUERTA Right If the one at Cal State was February 7 then the one at the Rose Institute was one week or two weeks before Essentially a lot of us knew each other from other activities immigration work and all kinds of stuff throughout the state We decided that redistricting was an important enough issue It wasn't really understood by our people [Senator Joseph B] Joe Montoya was there Richard Alatorre key leaders throughout the state

VASQUEZ So you had legislators--incumbents--there

HUERTA Right

VASQUEZ Did you have people from some of the political organizations? Like MAPA and that sort of thing do you remember?

HUERTA I believe MAPA was there And we called At the end of the day we started a discussion about Well what action ought we take? And we decided to have a meeting either the following week or in the next two weeks at Cal State L A --which we did do--to create a new organization And MAPA did not come to that meeting

VASQUEZ Why not?

HUERTA I don't know why they didn't I think My general impression is that MAPA--I forget who was president--but MAPA didn't really have it together We invited them in asked them to come and they didn't show up As we went and got more developed and more involved after Californios really took off we tried to get MAPA involved And they said essentially they were going to deal with redistricting on their own they didn't need us We offered them a co-leadership position in the organization and prominence at all our rallies and

press conferences and all that kind of stuff and they rejected that They demanded that they be the sole president of the organization and spokesperson for it And we said Chale [No deal] You guys haven't been here to do the work Why should we turn over the leadership? We're willing because of our respect for you as an organization to let you come in and have a coequal role with us But we're not going to just turn the whole thing over to you

VASQUEZ First of all where did the name Californios come from?

HUERTA Well it was

VASQUEZ Whose idea was that?

HUERTA It was my idea I threw it out at the meeting at Cal State L A There was a historian that wrote a book called

VASQUEZ Leonard Pitt

HUERTA Leonard Pitt

VASQUEZ The Decline of the Californios [1]

HUERTA Yes I haven't read the book [Laughter] But I have the title on my bookshelf And I just thought

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1 Leonard Pitt The Decline of the Californios A Social History of the Spanish-speaking Californians 1846-1890 Berkeley University of California Press 1966

it was a unique enough name to identify us with the state and the history of the state to be used And I threw it out Everybody was throwing out names Mexican-Americans Chicanos And no one had a name that we could agree on So I threw out "Well what about Californios? And people liked that It caught on and it was unanimously adopted

VASQUEZ Californios was a term that was used especially by the upper echelon of the California population the Mexican-Californian population Did anybody find a conflict with that and the fact that the previous effort a decade before had been Chicanos for Fair Representation?

HUERTA No

VASQUEZ That's interesting

HUERTA There were people who were uncomfortable with the use of the term Chicanos' that were at that meeting I don't remember who it was But they said the term's passe now There were groups who wanted to use the term Hispanic There were groups who wanted to use the term Latin You know it was that whole thing And this kind of diverted people's argument over What do we call ourselves? And they adopted that name

VASQUEZ What form did this quote organization take?

HUERTA Well what we decided to do At the Cal State L A meeting there was a pretty good representation from throughout the state But it was stronger in southern California than it was in northern California although there were people

VASQUEZ What kind of representation? What kind of groups were represented?

HUERTA That's hard for me to say because I didn't do the inviting Richard Santillán could probably give you a better idea He was in charge of bringing together the people that were at the Rose Institute All those people were invited plus the word kind of went out to other folks who showed up at the

VASQUEZ Let me give you some names of people--or groups--that were present or not They were represented either at the initial meeting at Cal State or soon thereafter And you tell me what you remember their involvement and contributions to be at least in the early stages in Californios Well MALDEF I think Tell me MALDEF was your contribution?

HUERTA Well it was my contribution But at that first

meeting both Angel Manzano and Maria Rodriguez attended from MALDEF and attended subsequent meetings MALDEF made We made our offices available rent-free to Californios They were housed out of MALDEF right from the start and throughout the campaign So MALDEF staff did work on Californios

VASQUEZ How about the Comisión Feminil Mexicana Nacional?

HUERTA There were quite a few people from Comisión that were actively involved to start with Probably the foremost person was Leticia Quezada And I recall that the coalition The steering committee felt that there weren't enough women that were actively involved in the organization We made a conscious decision to take Leticia and make her our spokesperson so that she would have a broader role in press conferences She became head of the Los Angeles County group But it was a conscious effort to try and promote women in visible spots so that we wouldn't be an all-male organization And Leticia really grew I think from that experience into a pretty able politician Emma

VASQUEZ Carrasco?

HUERTA Carrasco was another person who was an intern with MALDEF at that time She was a junior or senior at Loyola Marymount [University] at the time she was interning [She] started working for Californios via MALDEF on a full-time basis at least during the summer months And she turned out to be an incredible talent really developed Right now she's vice president of Univision for marketing She's the highest-ranked Mexican-American in the organization

VASQUEZ LULAC [League of United Latin-American Citizens]?

HUERTA LULAC was involved I don't remember who it was The folks from LULAC that were especially involved were from Orange County There was a guy named George Martinez But there were a number of LULAC people again mostly from Orange County and from Southeast Los Angeles I think Rubén Treviño was also Or was it Treviso? I think Rubén Treviño from San José was there but I'm not positive

VASQUEZ I think it's Treviso

HUERTA Okay

VASQUEZ The American GI Forum?

HUERTA I believe they were involved but I don't remember

who from them I don't recall the number We had filled the classroom at Cal State L A there must have been fifty or sixty people Since I had been away from the state I had been in northern California teaching And then being away essentially most of the seventies--I was out of the state--I didn't know a lot of these folks I was meeting them for the first time And a lot of everybody else kind of knew everyone I never got really involved in the grass roots organizing of Californios I had written a position paper for [it] and circulated it [I] mailed it out to everybody I got the name and address roster and mailed it out to everybody who was at the Rose Institute meeting And it was kind of an outline These are the steps you need to do to get organized And it was an 'A through Z sort of thing of We've got to gather demographers and lawyers and organize throughout the state We've got to focus on this assembly/senate/congressional and then get groups working on county and local governments

VASQUEZ Before we get into some of the strategy that

you've had let me just go down and if you have no recall at all, just say so

HUERTA Okay

VASQUEZ Just pass on it But I'm trying to get a sense of what the individual players in the Californios's effort remember about the different groups that were listed so that we can get a better sense of how formidable an organization this ever really was and/or how much of a paper coalition it sometimes had [to] be

HUERTA Okay

VASQUEZ The Los Angeles City Chicano Employees Association Do you remember anything about that?

HUERTA Yeah They were very active And there was a core of about half-dozen of those folks that were involved Steve Uranga was one of the first ones that comes to mind but there was another guy that worked in community development that had access to maps and information I don't recall his name

VASQUEZ Was Steve Rodríguez involved in any of this at that time the planner?

HUERTA No

VASQUEZ Okay

HUERTA Steve was involved MALDEF was involved in representing Steve Actually we didn't formally represent him He ran against [Los Angeles City Councilman Arthur K] Snyder and organized a recall We got involved in litigation representing the recall committee not Steve Rodríguez against Snyder And he qualified for the ballot but wasn't successful The community wasn't successful in recalling him But I think it eventually wore him down to a position where he stepped down

VASQUEZ Okay The Mexican-American Bar Association?

HUERTA Armando Durón was the representative of the Mexican Excuse me [Laughter] Armando later became the representative Miguel [F] García--who was either president of the bar or very active in it--was the bar's representative initially and then took over as president of Californios

VASQUEZ Um-hmm [Affirmative] We'll get back to that the positions that people held The Long Beach/Harbor Chicano Political Caucus Do you remember anything about them?

HUERTA I don't I think that was Dominguez I don't remember his first name Luis Dominguez He works in the mayor's office in the office of [the] handicapped and has run for assemblyman down there He was involved with them I think that's an organization that he's involved in

VASQUEZ The San Fernando Valley Concilio of Directors?

HUERTA I don't recall them

VASQUEZ How about NOSOTROS?

HUERTA I think Jerry Velásquez was

[End Tape 2 Side A]

[Begin Tape 2 Side B]

VASQUEZ the East Los Angeles [Community] Union [TELACU]?

HUERTA They became a major supporter of the organization And John Echeveste--who was head of public relations for them--became very active in the coalition a major contributor in terms of substance to the group

VASQUEZ And the Latin Business Association [LBA]?

HUERTA Yeah there was a guy named José Caldera who became very active He was president of LBA and threw himself totally into Californios LBA was just getting off the ground in those days

VASQUEZ Is that right

HUERTA Yes

VASQUEZ And they got right into it What was their interest?

HUERTA I think it was just José got wrapped up What happened I think is we invited all these folks in and there's a big turn-out at the first meeting We elected a steering committee and as those folks that got involved continued [to work] on it [they] just got carried away totally I mean we were meeting practically every night of the week and on weekends It really took up incredible amounts of time Lots of traveling throughout the state And [there were] those folks who didn't get elected and just said "We support what you're doing ' There were all kinds of levels of involvement For example we'd call There'd be a hearing in Los Angeles and we'd send out a mailing and have sixty or seventy people show up for a hearing Those folks who'd be supporters would say 'What do you want us to do?" We'll go in and say 'Long Beach Chicano Caucus for Political Action supports the activities of the coalition We think we've been

discriminated against historically in gerrymandering in the state and we want fair representation So there were different levels of involvement depending upon what was happening

Actually when we first started off we had a very hard time interesting anybody in the issue of redistricting until [Speaker of the Assembly] Willie [L] Brown [Jr] did us a great favor He was interviewed by the Los Angeles Times and stated you know what's going to happen for Republicans And they said What's going to happen for blacks? And he gave reactions to that And they said "Well what about the Latino population? And Willie Brown said Latinos are nice folks but they don't vote So they're not going to get anything out of redistricting We were able to take that quote and essentially rally our community It gave us an external enemy Prior to that time both Republicans and Democrats were saying God you guys have been really screwed over in the past Chicanos have been gerrymandered every time [Senator Daniel E] Boatwright came down to us

and said God you guys really had it bad You're entitled to based on your population about three senatorial seats in Los Angeles County alone I'm going to get that for you We're going to right the record and do things right this time around Richard Alatorre was Brown's appointee to the [Assembly Committee on] Elections and Reapportionment and Richard was saying You guys have been screwed around We're going to do justice for you this time around Trust me Trust Willie So we didn't have an enemy And with everyone You know [when you're] trying to organize a community and everyone says Look don't worry about it We're going to take care of you because you've been screwed over ' It was really hard to do So once Willie became the external enemy it gave us an opportunity to organize people around him And we made it our goal to kick Willie's butt We had people send in telegrams to him from all over the state I remember we had a reconciliation meeting I had a breakfast meeting with him in San Francisco I don't remember the date but it coincided with

the MALDEF board meeting I had to leave the MALDEF board meeting to go over and meet with Willie I met him at his law office and we went over to a little cafe He said You guys have shown me You really kicked my butt And we got down to talking about what we needed and wanted to do It really was a godsend to us He didn't You know it was Willie Brown's ego that was talking to the L A Times It taught me something about organizing that you need an external enemy Without it unless people can see what their stake is in this thing they won't get involved So that was I think the most important item in the success of Californios Had that not happened I think we would not have been as successful

VASQUEZ That was early on in the process right?

HUERTA Very early on I think we would have gone to the hearings but we never would have had the mass numbers that we had turn out for fund-raisers and for events We monopolized the media We set up a media committee Emma Carrasco was on it Another woman teaching at California State University Northridge then Norma de la Peña

And there were other people on it But we had a dynamite media committee We contacted every radio and TV station We were on all the talk shows public affairs shows debating people on this issue and speaking generally I mean we just saturated the media And we held a lot of media events So we kept them focused on this as an issue

VASQUEZ Let me finish a few more of these names Then we'll get back to this question of an overall strategy that you developed AMAE--that's the Association of Mexican-American Educators--were they very active? What was their contribution?

HUERTA I believe I don't remember who from AMAE I was going to say Gina Lonzo but I think she came on a little later Yeah I don't remember who from AMAE I remember CABE [California Association of Bilingual Education] Olivia Martinez got involved She was the president at that time

VASQUEZ The Hispanic-American Democrats Who were they?

HUERTA That was David Lizzaraga

VASQUEZ Of TELACU?

HUERTA Of TELACU He was president of the Hispanic-

American Democrats and involved George Pla and Louis Moret There's kind of a whole group of folks that are active Andy The guy that owns the El Paseo restaurant Andy Camacho and his brother Ernest Camacho

VASQUEZ How about Hispanic-American Democrats?

HUERTA They were the official recognized group of the Democratic party at the 1980 convention in New York

VASQUEZ And so they immediately got onto this?

HUERTA Yes They didn't have a very active role I mean essentially John Echeveste was representing TELACU on the steering committee John did a yeoman's job When I mentioned media I mean John really organized it [He] worked with Emma Carrasco and Norma de la Peña and these other folks John did He's really good at strategy and working with the media I'd say he was one of the hardest workers in the organization They contributed financially Lizzaraga would give money at our fund-raisers and things like that that helped us get afloat

VASQUEZ Did you have a counterpart on the Republican side?

HUERTA Within the organization?

VASQUEZ Yes

HUERTA I don't think so We invited Republicans in We were accused by the Democratic party of being a front for the Republican party the entire time

VASQUEZ Why?

HUERTA Because of our affiliation [with] the Rose Institute Essentially the Rose said We will make available to you all of our resources for free The limitation is you've got to come in when we're finished with the computers Essentially we'd get on at midnight or 1 00 A M and work till 6 00 or 7 00 A M in the morning and then their regular crew would come on So the Rose is essentially funded by the California Roundtable which is a Republican front organization They are a nonprofit corporation and they would lose their tax status if all they did were Republican activities What I think the Rose and Dr Alan Heslop thought is by getting Chicanos involved they will demand districts that are over-concentrated with Latinos thereby wasting Democratic votes and helping Republicans in the reapportionment process Thereby We're

going to offer them an opportunity to get organized and offer them resources that otherwise wouldn't be available to them And that's going to help the Republican party At the same time it's going to help us maintain our tax-exempt status ' So I think that's the motivation they were coming from

VASQUEZ Were you aware of that at the time?

HUERTA Yes

VASQUEZ Did it bother you?

HUERTA Nope Not at all

VASQUEZ Was there some drawback to being considered a group being used by the Republican front organization?

HUERTA Well we discussed that amongst ourselves a fair amount But it was very clear that we set our own agenda We drew our own district lines The only thing the Rose did was train us on their equipment We drew all our lines It was essentially myself Richard Santillán Leo Estrada Carlos Navarro and to some extent Armando Navarro but he was primarily a grass roots organizer and didn't do the district lines The core of us drew all the lines for

assembly and senate and congressional districts then trained other people to do it on a local level We'd have certain nights when groups would come in from Fresno or from San Jose or from Sacramento We would train them how to do it and we would be on hand to provide them with advice But we didn't You know we understood where they were coming from

We accepted money from the Republican party We got $5 000 from Security Pacific Bank as a donation because there was a guy from the bank who was on the Republican Central Committee and Heslop set it up for us to get $5 000 I think the Fluor Corporation gave us maybe $15 000 I'm not sure of the money But Fluor again is another right-winger We took their money and we thanked them for their assistance But we essentially said These are the kind of districts we want And we tried to play Democrats and Republicans against each other saying We're going to accept the one with the best plan That's who we're going to support

I've been a lifelong Democrat and probably

always will be I'm on the platform committee of the Democratic party now I spoke recently to a Democratic central committee meeting on redistricting that took place in Newport Beach [California] I think it was in January I told them that the Latino perspective is You've got to meet our needs in terms of redrawing lines if you want us to be faithful to this party We're not going to be knee-jerk Democrats We're going to set down what our agenda is Either you're going to substantially meet those needs or we're going to see if the Republican party can meet those needs And it's not that we're being disloyal it's that certain things come first I want you to understand where we're coming from They considered Armando Navarro as really the devil because he's associated with the Rose Institute now and is organizing people on redistricting activities And I said Essentially I don't consider that anything to be afraid of if you do what you should be doing

VASQUEZ Let's get back though I really want to talk about that towards the end of this I want to talk about where the 1980 effort puts this

community in 1990 and about some of the key players because you're not all united now the way you were in 1980 and it's important to understand the dynamic of how things spin out But getting back to 1980 you had evidently a strategizing group and a strategizing session and a strategic plan Lay those out for me would you?

HUERTA Well those grew out of the meeting at Cal State L A I don't remember right now what I put in that piece I haven't looked at it since I wrote it in 1980 [Laughter] But essentially it was adopted by the group as the way that we'd go What we envisioned was a steering committee that would meet on a regular basis and then would have more irregular meetings of the group as a whole Being a statewide organization the size of California [meant] a lot of logistical problems What we decided is that each group would have jurisdiction and absolute veto power to decide what kind of lines would be drawn for their own area That was not only for local government--cities and counties--but senate assembly and congressional districts as well

Then we had to put all this together in one statewide plan It became fairly difficult to do but we did accomplish that There weren't any major conflicts We were able to work those out essentially in drawing the plans So the notion was that we would be a grass root organization People would elect representatives to the steering committee There were representatives based upon geographical territory and then people elected at large Essentially your officers--president vice president secretary treasurer and legal counsel--were elected at large

VASQUEZ But it was pretty much Los Angeles-dominated wasn't it?

HUERTA Yes it was

VASQUEZ Did that cause any problems?

HUERTA It probably did but I wasn't aware of them or I don't recall them as being major problems It was L A -dominated because that's where we met and carried out business We had a number of telephone conference calls in which we had key decisions that were made We'd get everybody on the telephone on a conference call It probably

did create problems I don't recall them because I think people were satisfied with the kind of district lines we drew We were all pulling together for a uniform goal of really empowering the Latino community I don't think anyone was at this stage acting out of their own self-interest I think people were really sacrificing by working all those nights and weekends When I say nights I mean between 12 00 and 6 00 A M So it was really super-duty to advance the community

VASQUEZ So what was the strategy? To hit the press? To try and bang away at those who were going to do the redistricting anyway? To create a rump organization that could negotiate or broker particular district lines? What was your overall strategy?

HUERTA Well our strategy was I mean looking at it the Democrats held the power They're in charge of both the senate and the assembly And [Governor Edmund G] Jerry Brown [Jr] was still governor I think he went out of office in '82 We had to get the maximum that we could out of them By rallying community support to us and

making them think we're a viable threat was essentially the leverage that we had That s what we tried to effectively use We used media a lot Because we firmly believed that if we didn't exist in the eyes of the media we wouldn't exist at all That's why we had very powerful media campaigns A statewide lobbying effort and a statewide media campaign We put out press packets for local community groups how to get involved in their own community So we did launch a pretty viable statewide effort I don't think it was totally a paper organization Because other than MAPA I can't recall any group really saying We're not going to support you and join in it I mean you know there may have been groups that did less than others But essentially everyone came forward and said We support Californios and want to back them up

VASQUEZ So you were able to create a sort of united front on this issue?

HUERTA Yes Yes there wasn't any dissent With MAPA essentially we didn't hear from them until the very end Then they wanted to come in and

essentially run it We said We'll give you a co-voice in it " And they said No They said We're going to oppose whatever you guys do " I don't even remember The guy was up in San Francisco I remember having several phone conferences with him But it was purely an ego thing on their part When they got involved in the act it was so late they weren t even a player on the scene So A lot of our people were MAPA members People in our communities were members of American GI Forum LULAC and MAPA in addition to Comisión Feminil maybe and a half-dozen other groups So I don't think the statewide leadership of MAPA really effectively spoke for the rank and file at that time I think simply that was the strategy

There were a couple other things that were occurring One was that [Congressman Philip A] Phil Burton who was head of the congressional drawing of the lines called Vilma Martinez I was at the office Vilma was president/general counsel of MALDEF at that time She asked me to come into her office She had Phil on the line Phil told her essentially he wanted to

work out a deal or an understanding that MALDEF would support the congressional plan if he was able to create--in addition to Roybal's seats--two new Latino seats in Los Angeles County Vilma told Phil that I was handling all Californios activities for MALDEF and he had to deal with me on it We had numerous conversations back and forth in which he'd call me at home or I'd call him at his apartment in Washington or in San Francisco What we eventually worked out was an understanding that not only would they create two seats but the congressional caucus would support a candidate of the Latino community's choosing in the primary Because these would be substantially Democratic seats And that would mean do fund-raising on their behalf Because I didn't want to get a situation where you got a nominally Latino seat and [Arthur K] Art Snyder comes along and decides he wants to run for Congress or something like that or somebody of that ilk

In fact there was a deal worked out by which an incumbent congressman--I think his name was Jim Lloyd--stepped aside I don't remember

the details of this I think he No excuse me It wasn't Jım Lloyd It was [Congressman George E] Danielson Danıelson was appointed to the court of appeals creatıng a vacancy that allowed them to do this It set up a situation where [Assemblyman Matthew G] Marty Martínez was able to run in a quickly organızed special election He ran against a guy named Ralph Ramírez who almost beat him in that little run-off The Republıcan party had such a racıst attitude about Latinos They threw Ralph Ramírez ınto this race because they dıdn't thınk he could wın and they just needed a candıdate to oppose Martınez Then they selected [Congressman John H] Rousselot to run agaınst him in the general electıon That was a mıstake I thınk Marty easıly beat Rousselot who they consıdered the stronger candidate I thınk Ramırez probably could have beat Marty at the general electıon It was the first opportunıty to run for politıcal offıce for Ramırez Marty had been the assemblyman in that area previously Anyhow I thınk had the Republıcan party made a commıtment that they wanted to support Latınos and get

Latinos appointed to office they had a great opportunity and they really blew it there

So essentially with that understanding what I told Burton is that I couldn't make any commitment on behalf of Californios but I could make a commitment on behalf of MALDEF What I'd do with respect to Californios if he drew a plan that accomplished that is that I would be committed to argue to Californios that they should support such a plan with those conditions

VASQUEZ Did you?

HUERTA Yes I did And the Californios

VASQUEZ How did it go?

HUERTA It was easy to sell because of all the plans that were redrawn the congressional plan was the most demonstrably pro-Latino It created a district Marty's [Thirtieth] District with 54 percent Latinos [Congressman] Estebán Torres's [Thirty-fourth] District had I think 48 percent Latino registration population Roybal's [Twenty-fifth District] was higher I don't remember the exact numbers Roybal was a real problem to deal with

VASQUEZ Why?

HUERTA Well I forget what the 1980 data had under the

'70 lines for population but it was very high It might have been as high as 75 percent Latinos in his district He didn't want us to take any Latinos out of his district I went in and showed him Californios's plan which The Californios plan essentially dropped him down in numbers like to 55 or 60 percent Figuring he's an incumbent he's going to win this It was an overwhelmingly Democratic seat And he put up a big fuss about it and wanted his numbers back up I understand from talking to Burton that he was giving Burton the same kind of hassle But you needed that population in order to create new seats in neighboring communities and we were successful at doing that I think that is the major victory for Californios out of the entire redistricting process were those new congressional seats

VASQUEZ But it was something that essentially was approached to you by Phil Burton

HUERTA That's right I think Burton had already discussed that with [Congressman Henry A] Waxman I don't know this but I think Waxman and [Congressman Howard L] Berman were key

players Howard Berman and Henry Waxman and Howard's brother [Michael Berman] did the actual line drawing They were committed to trying to accomplish that but they wanted to make sure they wouldn't get backdoored by the Latino community if they came out with this It turned out the Republicans when they drew their plan did not come up with anything as near as good as the congressional plan did for Californios The Rose Institute drew a model plan that really fractured us They made a really bad mistake They appointed a guy named [Richard] Morrill who came up with the Morrill plan [He] wasn't a Republican or a Democrat He was an independent

VASQUEZ Or a Californian He was from Washington state wasn't he?

HUERTA Right he was from Washington state He tried drawing a plan that met all these quote good government standards It pissed off everyone-- Republicans and Democrats [Laughter] Because it cut through everyone's boundaries cut everybody up It may have looked pretty on paper but it didn't serve anyone's needs in

terms of community of interests And it was a total fracaso [failure]

VASQUEZ Do you think that the openness if I may call it that of Burton and company was to any degree affected by the presence of Californios?

HUERTA I'm not sure I may have had a conversation my first conversation with Burton prior to the meeting of Californios So Californios wasn't even formed at that time If not it was like early February right when Californios was organizing

VASQUEZ So before it was really even a presence in the press?

HUERTA That's right Before it had broken out in the press we had already been in contact He thought MALDEF was going to be the key player because MALDEF was with Chicanos for Fair Reapportionment in 1980 That involved Herman Sillas But behind Herman was Mario Obledo who was head of MALDEF at the time and Cruz Reynoso was head of CRLA [They] were kind of the key leaders in it at that time And I think he was looking actually to MALDEF to fill that role with Vilma and other folks I don't know what their

motivations were but we were welcome and we welcomed them [We] were glad to work with them to accomplish that

VASQUEZ Now we've sort of looked at We have looked at now and dealt with the congressional part of the reapportionment What was your strategy for the assembly and state senate?

HUERTA Well the assembly was difficult because Richard Alatorre was the head of it People really liked Richard I've known Richard He was at Cal State L A when I was there as a student You know we were glad to see him have political power Essentially we didn't trust Richard Not because we didn't think his heart was in the right place but we understood that the reality of political power is that incumbents want to look after their own districts first and second maybe their party and then third do in the other party and then maybe fourth any other special interests We saw us as coming in fourth in that line of priorities

VASQUEZ As Latinos?

HUERTA Yes as Latinos With Richard he could only do his job if we kept pressure on him We had

demonstrations at his office here in Highland Park and made him really feel the heat with Californios I'm sure he did not like us one bit or trust us either We showed up at every hearing and ranted and raved [We] talked about it and he agreed Oh yeah you guys have been discriminated against and I'm going to do you right The hearings were kind of a farce because the data wasn't available--the census data--so there weren't any lines The only thing that you had out were the current lines And they're asking Well where does the community move to

VASQUEZ The 1980 figures

HUERTA Right

VASQUEZ Is that why there's so much rhetoric in the press releases in the early stages?

HUERTA That's right There's nothing factual that you have because you don't have any census data And that's all we had to go on the rhetoric There isn't any basis They were like going through the charades of hearings and we had to decide whether we were going to participate I remember one debate Maybe we should just

boycott all the hearings and say 'You don't have any maps out '" But we decided that Look we can make these into media events The press is going to turn out for it Or we can turn them out and turn it to our advantage So let's do that That was the strategy we went for rather than just saying "We're going to boycott you We tried to turn each one into a media event by turning the media out for it And essentially we did that

VASQUEZ Let me ask you

HUERTA With Richard Alatorre we submitted a plan to the assembly which they didn't adopt Essentially what he did and what Californios eventually decided to support was increase the percentage of Latinos in districts so that there would be more districts I don't remember what the numbers were maybe 36 percent Latino There were sixteen districts that I think he created with over 36 percent Chicanos in them Californios eventually found this acceptable There were some close districts like [Assemblyman] Steve Peace down in San Diego That district that Peace won a Latino had run

for but it had a higher number [Assemblyman] Mike Roos's seat was like 44 percent Latino But it didn't create any new seats for Latinos

VASQUEZ What was the notion? Was this sort of a staging in area for a future reapportionment?

HUERTA Well that's what the group finally decided to go along I think

VASQUEZ Is that what Richard had in mind do you think?

HUERTA I think that's what Richard had in mind And I think that's what Californios thought would happen that eventually we'd take it over One thing that Richard had accomplished that we were supporting was [Assemblywoman] Sally Tanner's seat was redrawn with a higher number of Latinos in it I don't remember the exact percentages but it may have been something like 58 percent Latinos Once the Democratic plan was unveiled

There was a guy from MAPA named Richard Hernández--not the Republican Richard Hernández but the guy out in the San Gabriel Valley [He] held a press conference the next day and announced--this is before the legislature adopted the plan--that he was going to run against Sally

Tanner in the new Chicano district So Sally Tanner went marching into Richard Alatorre's office with this guy's press [release] and says I want him taken out of my district and I want whites--I don't care if they're Republicans--put in there I want it taken down ' In fact they did do that They knocked it down from 58 to 52 or 53 something like that And they went up into Duarte and moved that into the district

I'm not sure exactly what the lines were that were changed But it was a big loss for us because one of our goals was to try and We went in to her and said Sally we think you're the greatest thing since sliced bread You've got nothing to fear from our community We're supporting you a hundred percent We think it's wonderful and we're supporting what Alatorre and Brown want to do to your district She was sold for that until this guy held this press conference He was at our first meeting that we had at Cal State L A and hadn't participated any more after that and just kind of blew that And I think she I still think she's vulnerable now to the right candidate taking her on But

that just hasn't happened

VASQUEZ What did that do to the trust or mistrust that existed already between Californios and Richard Alatorre?

HUERTA I am sure it really destroyed a lot of the trust because they had showed us those lines somewhat in confidence Although I think what Hernandez had reacted to was The L A Times had gotten that data before they voted the plans and [they] ran the new information And that's what I don't think Hernández got the information from us But nevertheless it underscored how fragile the relationship was and the fact that we couldn't control any of these bozos from doing that

VASQUEZ Was there another incident anywhere else in the state similar to that?

HUERTA Where that happened? No None that I'm aware of

VASQUEZ So you were able to contain those loose cannons that always emerge in these cases

HUERTA Well not always But I'm not I mean things occurred that we had disagreements [about] Sometimes people would go off and act

on their own and make statements in the press and local newspapers and they weren't things we had agreed as an organizational position So I mean essentially we'd have a meeting and agree this would be our position before going out to the press and that's why you just see kind of general rhetoric and things like that

On the senate plan we voted to oppose the senate plan primarily I think because Boatwright created tremendous expectations when he came down and courted the Latino community His secret agenda is that he was running for lieutenant governor We knew that and it was being talked about in the press But I don't think we counted on his being so stupid that he'd come down and make promises to us he wouldn't keep He liked all the media attention he was getting trying to build name recognition in southern California But we didn't count on his being so stupid that he wasn't going to deliver on the promises that he was making When he said You ought to have three senatorial seats down here and you've got the population to support it we thought he'd follow through and

do it He didn't do that And he could have he could have done that Because Californios with the plan that we drew did accomplish that So we opposed him I wanted to sue them the senate but MALDEF didn't have the resources

What had happened in south Los Angeles between [Senator Ralph C] Dills and [Senator Bill] Greene's seat there was what's known in legal terms as retrogression That's where you have a protected minority group and you actually dilute their voting strength Latinos were taken out of Dills's seat and put into Greene's seat And it essentially kept us weaker I felt that was a pretty strong violation of the Voting Rights Act that occurred there I may have reversed those too I haven't looked at the data again since 1981 when that occurred But unfortunately MALDEF didn't have the resources to litigate These cases are very expensive to litigate And Californios didn't have any resources So we didn't pursue that But we were really angry at what Boatwright had done there We testified against the senate Democratic plan [Senator David A] Roberti was

very upset with us I had a personal relationship with Roberti which was pretty much burned I think by my having come out and opposed ıt I don't think he's ever forgiven me yet for having done that

VASQUEZ I want to get more into personal or indıvidual efforts and roles that people played within Californios And also some of the conflicts that ıt took them into with acquaıntances and frıends ıf we can in the next session

HUERTA Okay

[End Tape 2 Side B]

[Session 3 April 9 1990]

[Begin Tape 3 Side A]

VASQUEZ Last time we were talking about the strategy and that the tactics that Californios for Fair Representation decided to adopt in the 1981 reapportionment effort in the Latino community You came together in January as a result of a meeting called by the Rose Institute of State and Local Government more specifically Dr Richard Santillan A week later thereabouts--on February 7 I guess it was--you had a meeting at Cal State Los Angeles in which you then decided to put yourselves into an ongoing operation This operation you called a coalition I believe

HUERTA Uh-huh [Affirmative]

VASQUEZ And that's what it seemed to be A coalition made up of representatives from different organizations that either traditionally or now saw the need to get involved in something like reapportionment Then you began a series of

presentations before the various hearings at the state and local level held by the respective senate and assembly committees In addition there were some personal contacts that were made with individual members of the congressional delegation--the California delegation--regarding some reapportionment We've gone over that

Where we were and what I would like to start with today is for you to assess or to tell me what the strategy and tactics were that you decided and how you decided [them] And maybe to focus on that It may not be the best focus You can redo that You can refocus it if it isn't At what point you decide There's a discussion whether or not to go to hearings and make testimony before hearings whether or not that was to legitimize the process Some felt that perhaps community mobilization and not dealing with the hearings were your best Would be your best efforts?

HUERTA Uh-huh [Affirmative]

VASQUEZ Maybe that can focus--or you can use any way that you want to focus--what you thought were What you remember to have been the strategy

HUERTA Okay

VASQUEZ The tactics that you chose and when that happened?

HUERTA Well we decided to have the decision-making body be the steering committee which was elected I believe in that meeting at Cal State L A Then there were subsequent new elections There was both geographical representation on the steering committee as well as individuals who were elected to represent the statewide constituency That was the decision-making group which met at least once a week and sometimes more often And often through telephone conferences with folks that were outside of the Los Angeles area since we were essentially based in Los Angeles On the issue of whether to participate in the hearings or to go outside and just organize the community around it As I recall it our decision was to participate in the hearings and try to turn them to our favor through the use of the media by carefully orchestrating press releases and media events around each one And turning out local groups and organizing the communities around the hearings that were held statewide to

use that as an organizing tool for us We were surprised that the state legislature when they came down and held the hearing essentially didn't do any press outreach from what we could tell of it

VASQUEZ Which of the two? The assembly or the senate committees?

HUERTA My general impression is that neither did very significant Richard Alatorre did a little bit more initially but I think only at the first kind of kick-off hearing They may have sent out press releases But when we do media we not only send out press releases we call contacts at each station and urge them to turn out In advance we talk to the person in charge of the assignment desk We do a more thorough job These folks get swamped with all kinds of press releases and they have to pick and choose amongst them But if you can lean on them individually you often get more results I think we were quite effective at doing that on this issue And [we] put a lot of energy into it So we decided to participate in the hearings knowing that nothing would come out of the hearings essentially

Because neither the legislature or us had any data That is the census data was not available yet at the time they were holding hearings The census data down to the tract level didn't become available with short-form data until as I recall December of 1980 Then around April of '81 long-form data started to become available which had more specific information that you could use for developing lines

VASQUEZ Was that an advantage that the legislative committees had over you?

HUERTA Well at the time

VASQUEZ Did they have their data faster than you did?

HUERTA Yes They had access to the data faster because they get the December short-form data And that is available generally to the community Once it was available to the Rose Institute which there was a couple of months lag time there-- In addition to that what Rose had to do was get the bugs out of it They call it cleaning up the data making sure it meshes with their software program I assume the legislature had to do that also But of course they had people working full-time at Caltech [California Institute of

Technology] doing those things

VASQUEZ This was Bruce Cain's operation?

HUERTA Yes

VASQUEZ At Caltech yes

HUERTA And

VASQUEZ Were you aware of that operation at that time?

HUERTA Yes

VASQUEZ Did you ever put anybody into that operation?

HUERTA No

VASQUEZ Why not?

HUERTA Well we didn't have any contacts there other than Bruce Cain and [James] Jim Tucker and people at the top We didn't know who the folks were that were carrying out the operation

VASQUEZ They were hiring graduates students left and right

HUERTA Actually Leo Estrada had some people that were working there but what they were doing I wasn't informed about

VASQUEZ All right So they had the data and you didn't

HUERTA Yes And then when the Rose Institute had it there was an even further lag because we were a low priority in

VASQUEZ You were the midnight shift?

HUERTA Right We only could come in after hours to work on it But we were low priority compared to other people working the night shift also We had to wait until whoever it was that was using it for other purposes [was finished] Rose was trying to make themselves available nationwide for this sort of thing

VASQUEZ So then it was basically to be a public relations effort? To be at the hearings?

HUERTA Yes

VASQUEZ To get people out? Have statements everywhere? Wherever an assemblyman or a senator that was involved with it showed up you would have someone there as well?

HUERTA Yes They organized the community as well It was our way of communicating with our constituency

VASQUEZ Right right Using the attention that the issue and the politicians would draw Is that right?

HUERTA Right

VASQUEZ Tell me about your concerns in terms of how you arrived at an agreement within the coalition in dealing with Democrats as opposed to Republicans with incumbents as opposed to nonincumbents with

blacks as opposed to whites This sort of thing

HUERTA Okay At a very early stage we made a decision that we were going to judge each plan--Republican/Democrat plan--based upon the merits of the plans themselves and not based upon any party loyalty We communicated that at the hearings Right away the Democrats said we're a front for the Republicans because we took that position I think they expected us--because we were Chicano activists and most of us were Democrats--to be loyal to the party first and any ethnic concerns should be secondary We did not take that position We let them know very clearly throughout the hearings and communicated it in private

VASQUEZ Why not? Tell me why not John? Historically or theoretically or any way you want

HUERTA Well

VASQUEZ Some would say you were biting the hand that fed you

HUERTA Well we looked at it [as if] we were the hand that was feeding <u>them</u> We have provided Latinos as safe Democratic voters in Democratic elections for a long time without getting any ability to elect our own representatives We were divided

up and gerrymandered by Democratic elected officials over such a long period of time that we didn't feel that we owed them any loyalty They hadn't demonstrated any loyalty to us as a community They may as matters of social policy back issues that I'm more comfortable with than someone else But when it came to giving us the ability to elect one of our own it didn't go that far One of the great things that I learned about redistricting is that incumbents say "Looking after your own is more important to the elected official than that elected official looking after his own party So the number one priority is save yourself And saving yourself at the cost of being reelected is in direct proportion to the less competitive that your district is The more Democrats if you're a Democrat--or the more Republicans if you're a Republican--in your district the cheaper it is for you to be reelected And so even And this goes also for ethnic Democrats Blacks want more blacks in their districts Or they want Latinos who don't vote in their districts Or Latino elected officials want more Latinos in their districts

than what they need to safely wın a seat

VASQUEZ A safe enclave is a safe enclave?

HUERTA Right After that concern was taken care of then they look at party loyalty Then after that concern then they look at communities of ınterest in terms of what pressure groups mıght be pressurıng them And that's where we fıt ın Latinos fit in in that

VASQUEZ You operated from that premıse?

HUERTA Yes

VASQUEZ That you would not be able to break say through Rıchard Alatorre's party affiliation and loyalty and then to his own and to those Willıe Brown had chosen So that you cross through that and make one of hıs priorities an ethnic concern?

HUERTA That's rıght

VASQUEZ How dıd you arrive at that?

HUERTA One by historically looking at prıor redistricting specıfically 1970 ın whıch the masters [decısıon][1] gave us the best deal

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1 In 1973 the California Supreme Court appoınted three masters to settle the reapportionment stalemate ın the legıslature Marvin Coughlin Harold Collıns and Alvın Weinberger all retired appellate or superıor court justıces

available

VASQUEZ The courts

HUERTA Yes the courts did in that particular case And determined that was just something we had to have the will to do A lot of people were uncomfortable A lot of us were new in terms of working with each other and didn't trust each other initially We were somewhat suspicious But I think working [together] over time we were comfortable that each of us were committed to the same goal We worked pretty well together in that

VASQUEZ At one point there is a disagreement though I'd like it if you could lay out the sides of the arguments for putting your energies into the PR effort--if I may call it that And try to identify a few key legislators that have put a lot of pressure on those people There Was a variance in that That is what some of the analysts arrived at

HUERTA Yes I don't recall that particular one But I do know practically every step of the way there was heated debate on all these issues I mean first of all whether we ought to support a

particular plan or not or support the Democratic party as opposed to an independent All those things were debated out How to arrive at decisions We had lots of long meetings where we just argued things back and forth In terms of targeting particular elected officials I know we did that with Willie Brown in reaction to that article I mentioned last time We targeted Boatwright but we had less influence with him And that was after they already came out with the senate plans so that was a pretty feeble attack on our part

VASQUEZ Without putting you on the spot in terms of factions or that sort of thing but thinking back on it now was there two or maybe more tendencies within Californios? One that may have wanted to take a more organizational a Saul Alinsky--to use some term--activist kind of approach? Another one that wanted to take a more public relations approach? Did did Was there ever like two trends that maybe were positive in the end because they pushed one another?

HUERTA An initial issue that we debated was whether we should only do redistricting reapportionment

and end when everything terminated Or whether we should really build a new organization--not a coalition--that would go in and do voter registration It wasn't clear whether it was going to be a new La Raza Unida or a caucus of the Democratic party or

VASQUEZ Who argued what?

HUERTA Pardon?

VASQUEZ Who argued what?

HUERTA I believe As I recall Armando Navarro was in favor of that position There were other people who articulated that position that MAPA wasn't effective and needed to be replaced And so there was a group I don't recall whether Richard Santillán took that position or not I argued against that position One reason why I think was out of an institutional loyalty to Southwest Voter Registration [and Education Project] I'm not affiliated with it but I think it had an important role The problem with Southwest Voter Registration was that it wasn't doing anything at all in California during the first part of the eighties I felt that what we ought to do is pressure those local board

members like [Deputy Mayor] Grace Montañez-Davis and Vilma Martínez to make Southwest more responsive to California as opposed to creating an institution here to take over that function What we ended up doing was agreeing to postpone that decision until [the legislature] was through redistricting

VASQUEZ Was that ever brought up again?

HUERTA Oh yes It was brought up at the end And that is essentially what ended the organization I think Other than the personality issues it was one of the major reasons why the whole thing broke up It was because people that came into it only for redistricting felt We accomplished that goal And then they withdrew It just kind of left a shell there

VASQUEZ Why didn't the people that had that other position try to pick it up and build it anyway? Do you know?

HUERTA In part because of personalities involved I think

VASQUEZ So even though they held a common position they had personality clashes? Among themselves?

HUERTA I believe so There were lots of different

personality clashes I don't know whether I articulated this theory on tape previously but I

VASQUEZ Do so now

HUERTA One of my theories is that as Latino organizations gain power and influence When people start out working together for common goals they're very altruistic and they work hard As it becomes forged into a success they then see that they've gained political influence and power and there is a vying for leadership within the organization I think had we started at the beginning with Californios and said This is a permanent organization that we're creating

" Query whether we would have been able to successfully bring everyone in that we did But I think there's no question that after redistricting it would have been left as an institution Who would be in control? That I'm not sure Because we made an intentional decision to postpone that decision until after the process I think we were more effective but it didn't carry on the banner of Californios afterwards Probably a majority although it

wasn't clear It was probably close to a fifty-fifty split--at least in my mind both before and afterwards--of people saying we want to withdraw and [those that wanted to] keep it going

VASQUEZ So you feel that the coalitional effort as a definition or as an umbrella, was to harness all the energy that might otherwise have been spent in power politics that go into organizations as you and I both know?

HUERTA Sure What happens The delegation in a coalition the representative of the Mexican-American Business Association or the representative of the Latin Business Association or the Mexican-American Bar Association these folks Eventually the coalition becomes its new life and their previous professional associations become secondary When you're meeting as intensively and working as hard as you are with Californios And I've seen this with other coalitions I'm working with the National Hispanic Media Coalition now

VASQUEZ The National what?

HUERTA Hispanic Media Coalition It takes on a new life Even though you're a representative

you're making decisions you're working with this other group on a weekly basis--and sometimes more often than that--you're spending a lot of time very intensively It creates a new identity and a new institution is created out of it And that's what happened with Californios

So even though it started out being a coalition--you're elected to be representative of say the Association of Mexican-American Educators--your role in that becomes more important than your role as a representative to the organization So it creates a new institution even though it's just a coalition for a limited purpose " So I think the personalities became diffused as they started to vie for power The main ones in Californios of course were Miguel [F] García who in my opinion is a very charismatic leader and Armando Navarro who is a grass roots organizer--at least outside of Los Angeles County Armando's always kind of been I think a persona non grata [with] community groups in Los Angeles

VASQUEZ What do you think is the basis of that? Do you know?

HUERTA I think they're distrustful of him I think Armando's pretty open about his agenda actually I think it comes down to people not wanting to give up what they perceive as their own political influence and power to be subservient to him We found just lots [of people were] reluctant when we chose him to be our executive director I mean I got lots of calls from people saying you know Don't use that guy He's not a good person to use in that role for you folks "

I found him to be a very good executive director We essentially used him as an organizer and sent him around the state organizing And that's Armando's forté I think he worked effectively at bringing the organization together on a statewide basis Miguel's forté is in speaking to large groups and motivating them to get involved I think I'm kind of best as a detail person and trying to think through and be a strategist I think we worked very well Leo Estrada was a key leader in the organization

VASQUEZ How so?

HUERTA Well he provided a lot of intellectual insight into demographics the different types of Latinos that are out there in any given block and what the mix ought to be from a demographic perspective How to work the Pico-Union and tie it in The Pico-Union being a very high non-resident immigrant

VASQUEZ Receiver community?

HUERTA Right

VASQUEZ I've read the materials that he prepared for you and some of his testimony some of his comments Did you find that as activists from the sixties many times focused on efforts in East Los Angeles that you had sort of idealized what East Los Angeles meant in terms of the its strength and numbers and mobility and mobilization for the Mexican community? Did Leo open your eyes to the way Boyle Heights--like the Pico-Union--was becoming a receiver community? And consequently did other areas have to be given attention? Did you find that?

HUERTA No Not really What I found was that because there are people in the coalition from the San Fernando Valley that were very outspoken about

the needs of the Latinos in the San Fernando Valley There were folks from Highland Park that were very outspoken There were people from Southeast Los Angeles from Huntington Park A guy that I read about in the L A Times just last week [Richard] Rick Loya I hadn't heard his name since the redistricting efforts But he was involved in them I remember he ran for city councilman there several times There are folks from San Pedro from Long Beach Here in L A they were just The community's so diverse they've made us conscious that it isn't only East L A

Often East L A gets played to as the only game in town But it wasn't the case with the coalition East L A was well represented but I don't think it was over-represented And the whole San Gabriel Valley was an area of concern and interest

VASQUEZ Okay Let me go over some questions that you might have heard before in a survey that was done of those who led that effort in 1983 and 1984 But let me get this on tape for this interview What were the political strengths as you think

back on it now of the Californios for Fair Representation?

HUERTA Well the word political I'm not sure [of] One of the strengths was the commitment of the people that were involved the intelligence of the people that were involved and their professional capabilities--to the extent that we had demographers lawyers community grass-roots people People that were knowledgeable about a long range--wide range--of issues People who worked in the legislature who were providing us with information staffers and things like that

VASQUEZ Did you have to keep certain assemblymen ones that gave you information that helped you make better decisions? Was that perhaps of a clandestine nature?

HUERTA Not really other than Richard Alatorre Jim Tucker provided us with the information about where they were leaning what they thought would go and who d make sense And we would give them feedback from our perspective on what might work We had conversations For example when they were creating an assembly district down in Orange County about drawing the lines down

there What was the best way of doing it? They'd call up talk to us on the telephone We'd get back to them and

VASQUEZ What about people like [Senator] Alex García or Gloria Molina, who were

HUERTA Well Alex García was totally worthless

VASQUEZ Why is that?

HUERTA Because of his alcohol problem I mean he gave us supportive rhetoric But there wasn't anything behind it Gloria Molina wasn't in the assembly at the time

VASQUEZ Wasn't she working for Willie Brown at the time?

HUERTA She was in charge of Willie's L A office I think

VASQUEZ But she was able to I know she supported Californios

HUERTA Yeah But she really didn't have access to the information about what was occurring Joe Montoya was on the Senate Elections and Reapportionment Committee and made promises He was at the first meeting at the Rose Institute He talked a great game about how he was going to help us and provide us with any information we wanted anytime

VASQUEZ He was on Boatwright's committee?

HUERTA Yes He was on Boatwright's committee When the senate unveiled their plan I was [in] Sacramento and I went up and saw it I took a copy of it and went marching in into Joe's office He had not even seen the senate reapportionment plan at that time I was the first one to show it to him He was a member of the committee

VASQUEZ This is the plan he was going to make available to you?

HUERTA Yes [Laughter] This is after they had already decided to adopt it I confronted him with it and said How can they do this to us Joe? And he said it was all Boatwright's fault Boatwright was a turncoat and there was nothing he could do about it But he was totally shocked to see that they had even come out with the plan I don't know where he was or what he was doing But he was a tremendous disappointment One reason I think was he relied on Boatwright also to carry through with his rhetoric He just figured Well that's in good hands so I'm not going to do anything about it and went on with

whatever

VASQUEZ Am I right in assuming from the reading of things that Richard [Alatorre] was in a way maybe privately supportive but more circumspect than Boatwright in public? Boatwright in public seemed to have offered you the moon and the stars

HUERTA Oh yes That's correct

VASQUEZ And then from there it was all backsliding Is that fair? Or unfair?

HUERTA Yes Boatwright caught us totally by surprise I mean I was shocked when the plan came out And it was a plan that was retrogressive that Latinos did worse in Southeast Los Angeles I think I mentioned this in our discussions last time He was just an outrage They should have been sued over that plan

VASQUEZ Was the relationship that you had over the year or so period with the Chicano legislators a political strength or a political weakness for you? The Californios?

HUERTA Well we had an adversarial relationship with Richard We had demonstrations sitting in his office I mean he and I had a relationship

going back a long time We were both in Cal State L A together and I still consider him a good friend And I think he considers me that way also So he'd call me up and give me his two cents about something I'd say Look from our perspective we've got to do what we've got to do And he'd share information So I think it was an advantage I think had he not been there things would have taken a completely different turn of events And it may in 1990 for his not being there unless they're pretty savvy about how they're going to handle it

VASQUEZ Explain that

HUERTA Well Richard has a good political sense He's the prototype and the ideal back-room wheeler-dealer I'm not sure [Assemblyman Peter R] Chacón I don't know Chacón that well But my sense from the interaction I've had with him is that he's not as sophisticated in that art Chacon has other strengths But that isn't one of them And currently he has the lead on that I'm skeptical whether he can appease the community I mean what struck me is that Boatwright didn't have that sense that Richard

did I think we would have gotten something that [was] fair out of the senate and the senate wouldn't have gotten as much heat Roberti got a lot of heat at least from me if not from other people over that I'm still bitter over it And we're going to be a lot more skeptical

You can't have someone that's a glad-hander and backslapper telling you he's going to give you the moon We've learned from that experience We're going to be skeptical of it in the future when it happens Richard didn't do that He said I've got a lot of realities He also said to us you know You're putting pressure on me It makes it easier for me to do the job I want to do And so when you go out and you put the pressure on all these folks it does make it easier So that's what we did

VASQUEZ So you don't feel he felt threatened by you folks?

HUERTA Yes I think he was to some extent He doesn't like negative publicity and we were sitting in on his office He didn't like that I'm sure he didn't like it when we sat in at Willie Brown's office because Willie Brown came down on

him over that

VASQUEZ Tell me about the different perceptions and acceptance about tactics like sitting-in within the coalition Did it cause some problems at different points along the way?

HUERTA Yes

VASQUEZ Tell me about that

HUERTA Well I was generally not in favor of a sit-in as a technique or civil disobedience as a technique to be used

VASQUEZ Why? Because of the issue?

HUERTA Pardon?

VASQUEZ Why? Because of the nature of the issue or what?

HUERTA Yes I thought we could accomplish our goal without doing that I think it's important to use civil disobedience as a chip in the bargaining process I just didn't think we were there in terms of strategy to use it at the time we did There are people who immediately wanted to use sixties tactics and go out and sit-in In fact a lot of these were wildcat sit-ins They weren't sanctioned by the steering committee They were just things that folks said Let's go

do And they did

VASQUEZ Was the Willie Brown office sit-in a wildcat?

HUERTA Yes I think it was

VASQUEZ Was the Alatorre office a wildcat?

HUERTA I think the first one was Then I think the steering committee came back and responded to the group that was doing that

VASQUEZ The Willie Brown sit-in was a wildcat?

HUERTA Yes

VASQUEZ Who was the wildcat leader?

HUERTA I don't know because I wasn't up there for that What had happened we were going up to the legislature for a rally I don't know why I couldn't make it for that particular weekend what I had been doing with MALDEF But I probably wasn't in town or in the state or I would have been there But we went up to meet with legislators to have a rally in Sacramento

VASQUEZ This is already in August now?

HUERTA Yes And to show them the support there was in the community for the plan We had busloads of people going up from Fresno and from Oakland and from other areas throughout the state from Los Angeles

VASQUEZ This was picking up the people that Navarro had been able to gather along the road

HUERTA Right I think we had discussed in advance about whether there should be a demonstration and a sit-in We decided against it at the steering committee level I'm not positive of that but my recollection is that we did Then they went ahead and did it anyway

VASQUEZ Navarro says he knew all along that that's what he was going to do

HUERTA Uh-huh [Affirmative]

VASQUEZ And that really he didn't expect that anything else could happen

HUERTA Uh-huh [Affirmative]

VASQUEZ And he was prepared to do that Does that make sense to you?

HUERTA Well that could have been his agenda But as I recall the steering committee made a conscious decision not to do that But you know I wasn't there It could be had I been there given the ambience of the moment I might have reached a different conclusion But in terms of the way we had thought through our strategy we decided that wasn't an appropriate time to use that as a tool

VASQUEZ Do you think that was a mistake looking back?

HUERTA I don't think so I think it showed Willie Brown we were very serious about what we're doing I don't think we lost any points by doing it at that time

VASQUEZ Okay Do you think that looking at the whole effort CFR achieved its political objective of increasing political representation for the Hispanic community?

HUERTA [Pause] It's a real tough question

VASQUEZ Yes it is Because it works at different levels You can take it any way you want to You know develop it

HUERTA I think there is a perspective--excuse me not perspective--perception in the community and in the minds of the Anglo community that we did achieve the goals That's a pretty important goal towards success I think there's a perception in the mind of our community that we were successful and powerful

VASQUEZ But it just seems to you and me that the perceptions on the minds of some of the leaders that they were They made almost all their

expectations

HUERTA Of what leaders are you referring to?

VASQUEZ Of CFR

HUERTA Well I think had we followed up the senate plan with litigation I have no question [in my mind that] we would have won it And it would have made us more powerful It may have taken four or five years to litigate it but we would [have] really had a perception where the threat of following through We didn't do that as I mentioned last time MALDEF decided not to do that for financial resource reasons which is unfortunate And I couldn't get anybody in Californios to devote the resources to it or the interest in doing it Litigation is kind of uniquely a MALDEF thing Everyone said Well MALDEF will do it and

VASQUEZ There were no attorneys that wanted to take that on? That were close to Californios? Or that came around?

HUERTA Well you don't take on redistricting litigation the way you might do other smaller pro bono cases In the L A County case the county spent

over $4 5 million on attorney's fees [1] The legislature is going to spend at least a couple million defending themselves I mean it's public taxpayer money And when you take them on you better be prepared Now you don't have to spend $3 million to do it because we nickel and dime and get a lot of volunteers But it's a major commitment And if you're not talking $2 million You're talking at least $500 000 to $1 million to do it

So there's a lot at stake Because when you overthrow that plan you overthrow it statewide So that's the way MALDEF was looking at it at least There isn't really anybody that's going to do it on a pro bono basis and do a decent job of it

So I consider the senate a loss The congressional I think is a win But those folks because of my special knowledge about what occurred there they were inclined to give us a

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1 The Los Angeles County case is discussed in detail later in this interview For a detailed overview see Erik Bucy Lawsuits Threaten L A Supervisors' Fiefdoms California Journal January 1988 pp 41-43

win as we were just getting off the ground I mean there were lots of problems in terms of pulling that off because folks like [Congressman Anthony C] Beilenson for example didn't want to get moved out more to the San Fernando Valley Which he was He had more of a

VASQUEZ And we're talking here about Joe Montoya No I'm sorry We're talking about Estebán Torres's and [Assemblyman] Matthew [G] Martínez's districts

HUERTA Right right The congressional

VASQUEZ All right

HUERTA But the problem is what do you do

[Interruption]

So the problem is how do you create those districts on the east side? Who do you have to move around? You have to move around your black representatives and your Jewish representatives in order to accommodate that So how you move them is really difficult to pull off In terms of our strategy You had asked me fairly early on and I didn't really get to address strategies with those particular communities But with the black community I approached the

head of the NAACP [National Association of the Advancement of Colored People] and the leadership What's it called? The Southern Christian Leadership Conference? Yeah And one other Oh John Mack from the Urban Coalition [I] tried to get them interested in the issue Essentially I couldn't even get them to a meeting to talk about building a coalition with Latinos on redistricting issues

VASQUEZ Why?

HUERTA They didn't articulate it this way but I think they were comfortable with the black leadership that they had and didn't feel threatened by the Latino community This was before we started doing our organizing It was an early stage Essentially I think they thought that there was adequate black representation Willie Brown was in charge of the whole process And they had a pretty strong

VASQUEZ They had a pretty strong member in the senate

HUERTA Right

VASQUEZ Senator Greene

HUERTA The reason why I wanted blacks involved in the coalition is because I wanted to move

[Assemblywoman] Maxine Waters's district down into Compton and North Long Beach I wasn't successful in doing that on the assembly side The reason I wanted to do that was because those black districts those black populations in North Long Beach and in Compton were represented by a white assemblyman By squeezing Maxine down south and moving all the black assemblymen further south to follow the black population I could then build stronger Latino districts in the center part of the city Tying them into the voting basin on the east side essentially

But Maxine didn't want to move because she wanted to run for congresswoman to fill [Congressman Augustus F] Hawkins's seat So she had to stay within Hawkins's district And there wasn't any way around that particular problem She had the power because she was close to Willie Brown to make sure that didn't happen And it didn't happen Then my argument to blacks was essentially If Maxine runs for Congress you're not having as many blacks represented by black elected officials as you could otherwise And you have to plan for the entire decade

So trying to answer your question about whether we were successful

VASQUEZ Before you go on to wrap that up In the senate In the state senate one of the interesting objectives that I find but don't quite understand the thinking behind or the optimism behind it was the notion that Ralph Of getting Ralph C Dills who has been in that district in one office or another for nearly fifty years to collapse his senate seat Tell me about that Whose idea that was and what the thinking behind that was?

[End Tape 3 Side A]

[Begin Tape 3 Side B]

HUERTA Well the notion was that Dills would receive an appointment from the governor to go back on the bench I think he was a judge at one time in his career a municipal court judge

VASQUEZ Uh-huh [Affirmative]

HUERTA And get appointed to the court of appeals or something like that The feedback I got from Sacramento was that Dills was pretty bored with his job That he's a spokesperson primarily for the horserace and liquor lobby that he doesn't

represent his constituents that he isn't doing a good job representing his district I mean they reelect him But if you look at his campaign contributions they're primarily all from folks that don't live in his district We were pretty naive I think but the notion was that we could get Governor Brown to give him an appointment

VASQUEZ That's what I'm interested in How? Where did you get that notion that Jerry Brown would do this thing for you?

HUERTA Other than that it worked on the congressional side That is one of the incumbents

VASQUEZ [Congressman George E] Danielson?

HUERTA Yes with Danielson It was worked out We just thought we could run the same number down there in the senate side if we had Boatwright's support to do it

VASQUEZ Who was the liaison with the governor on that one?

HUERTA Well I would have been one of them

VASQUEZ Who else?

HUERTA Because of my contacts with [J Anthony] Tony Kline who was the governor's appointment

secretary at one time And

VASQUEZ Where did those contacts come from? Law school? Law practice? What?

HUERTA When I was with California Rural Legal Assistance Tony Kline was with He started a group called Public Advocates with [Robert] Bob Gnaizda who had worked at CRLA So since the early seventies I've known him

VASQUEZ Bob who?

HUERTA Bob Gnaizda He's a public interest lawyer in San Francisco

VASQUEZ Okay

HUERTA And he started a public interest foundation with Tony Kline We had intended for Boatwright himself to approach the governor over it I'm sure there are things that the governor would want out of the senate in exchange for doing something like that Governor Brown had made a lot of [He] had a good track record I think in terms of winning Latinos to elected officials Mario Obledo was secretary of health and welfare for the state and [there were] a number of judicial appointments and other highly visible appointments It wasn't I think

totally out of the realm to have that as an expectation It turned out to be fairly naive because it didn't work I don't know exactly where it broke down but it did That isn't the only one We had all kinds of strategies that didn't work on various things

VASQUEZ Let me ask you about a personal goal Did you expect a judgeship out of this effort?

HUERTA No No

VASQUEZ At any time?

HUERTA No

VASQUEZ Why would someone have the perception that you did?

HUERTA I was offered a judgeship by Governor Brown in 1973 and I turned it down About 1983 I tried to get an appointment It would have been '82 In '82 I tried to get an appointment to the bench and was not successful It could be because of that And it wasn't something I kept quiet I wrote quite broadly to all kinds of people that I knew and asked them to write Governor Brown on my behalf But that was not in my mind at the time I was working with Californios

VASQUEZ [Were these efforts] for superior court or court of appeals?

HUERTA Superior court

VASQUEZ But at the time that you were working with Californios this was not a goal of yours?

HUERTA No not at all

VASQUEZ All right we were talking about Did CFR achieve its political objective of increased representation? We've gone through the senate the assembly and the congressional So you feel that your best efforts bore fruit in the congressional?

HUERTA Yeah

VASQUEZ Then the assembly?

HUERTA Right

VASQUEZ And this you strengthened? Then you took 30 to 50 percent Or 30 to 40 percent Democratic registration and sort of put them up on the road to becoming 50 and more percent Is that right?

HUERTA Something like that Sixteen to eighteen seats yes

VASQUEZ Uh-huh [Affirmative] But in the senate you feel that you really moved very little if anything

HUERTA Yes That isn't the view of the senate folks They think that we did have an influence on them and that they responded to our needs

VASQUEZ Give me an example of that

HUERTA I really can't give you an example They created a senate seat in Orange County that they point to as being a response to us which I

VASQUEZ Which seat is that?

HUERTA I don't even know the name of the seat now but there was a conference that was held at UCLA on redistricting that The guy that got his Ph D from there

VASQUEZ From where?

HUERTA From UCLA in redistricting We mentioned him last time

VASQUEZ Kane? No

HUERTA No no Chicano

HUERTA The guy from El Centro Regalado

VASQUEZ Jaime Regalado?

HUERTA Yes Jaime was involved in putting on this conference on redistricting there at UCLA They had people from Californios and people from

VASQUEZ Boatwright's office

HUERTA Boatwright's and all those folks The guys from

Boatwright's office took the position there I understand that there was a transcript made of that proceeding that it was printed up in some kind of journal

VASQUEZ Uh-huh [Affirmative] It was printed up in the Chicano Law Review

HUERTA Oh really? I'd love to have a copy of that

VASQUEZ Now this was Alan G Rosin is that correct?

HUERTA Right

VASQUEZ He took the position if I remember correctly that in fact Senator Boatwright had pretty much come through with all of his promises You people hadn't followed up Something to that effect

HUERTA Yes I couldn't understand the point that he was making because I was judging it as compared to Boatwright's promise to create a third senatorial district in Los Angeles County Since that was his promise I figured he was going to do it somehow And he didn't do it That's what we measured him against not compared to the assembly plan where they didn't make that kind of promise to us

VASQUEZ Now what lessons do you think were learned from

the effort that Chicanos for Fair Representation launched in 1981?

HUERTA Well I think there's a lot of strength in our community I think redistricting's probably the hardest issue to take on And I think we took it on

VASQUEZ Why is it hard?

HUERTA Because no one understands it or has any interest in it other than elected officials and a few other kind of political groupies The legislature historically has gotten away with doing this behind closed doors without having scrutiny by the public focused on it While there was some focus in 1970 there was a lot more in 1980 And I'm willing to predict there'll be a lot more in 1990 It is becoming a more public process The Latino community is considered a player probably a major player in redistricting

VASQUEZ Do you think the CFR efforts are partly responsible for that?

HUERTA Yeah Without a doubt I think we've demonstrated that we have political know-how and sophistication in our community The energy and

the commitment to become a major player in this issue So I guess that's what I see as kind of a major lesson from it

VASQUEZ On the negative side what lessons? You mentioned one awhile ago You seemed to indicate that the lack of follow-up afterwards took away what would have been in the future a thread of the ability to follow up Was that a negative lesson or an error? And are there others?

HUERTA Well not having the resources I mean I'm seeing that right now with the National Hispanic Media Coalition There's so much to do and there would have been with Californios had we had a way of funding the organization in its Nobody None of the foundations want to give you money for what they consider political activities

Our community does not have a history of funding these things There are a few people who will throw in some money towards it But there isn't the serious type of money that's needed to build that kind of structure and to follow through with the litigation I mean if MALDEF doesn't have the resources to litigate one of

these cases it isn't going to be done The L A County suit The only reason they filed it was because Justice was going to file it and they wanted to be involved in it And they knew Justice could carry most of the resources

VASQUEZ You also had the ACLU [American Civil Liberties Union] involved?

HUERTA That's right

VASQUEZ Their resources

HUERTA But MALDEF would never have filed that litigation had it not been for the participation of those other two entities and especially Justice which is carrying the bulk of the cost But even then it's running $500 000 to $1 million just for that role in the county redistricting litigation

VASQUEZ For someone that doesn't know or doesn't understand how these astronomical numbers come to be--the resources needed for litigation--how is that money spent? All lawyers' fees?

HUERTA Well

VASQUEZ Filing fees?

HUERTA No A big cost is deposition transcripts To take someone's deposition might run two to three thousand dollars a day for attorney time and for

the court reporter In the L A County case there was something like 125 people that were just noticed by the plaintiffs for deposition And your defendants did a like number So you're talking about 250 to 500 depositions that may have been taken You just don't go in and take someone's deposition You prepare for it the way you prepared for this interview by reading everything you can get your hands on about that person

They took my deposition They read it They did a LEXUS search and they did a NEXUS search which are computerized data base readings Getting all the law review articles I've written and newspaper articles about me and statements I've made to the press That sort of thing So that they're prepared to examine you about a whole wide range of things Well they do that for everyone they interview And these are all kind of semi-public figures if not public figures So it's a lot of preparation a lot of attorney time

The other big expenses are the experts Your expert witnesses in these cases have to

analyze data Some of them have to put together data bases to analyze And they've got to choose elections For example you've got to have racially polarized votings showing that Latinos as a class would vote for someone differently say than the white population as a group It could be that the Latinos would vote for another white person but it's got to be someone of their choosing as opposed to someone of the white community's choosing The color of the person they vote for is actually irrelevant What is relevant is whether they as a community can elect who they want to So you pick elections and do analysis Well you ve got to collect that data Because usually there aren't data bases already made unless you happen to be with the legislature which already has a tailor-made redistricting data base--which they've kept together for the entire decade--or the Rose Institute Other than those two folks everyone else essentially has to put together their own political data base for California for those things So you've got to buy the election data from the secretary of state you've got to buy

the census data you've got to buy housing data There's all kinds of data [you have] to put together in one of these programs to be able to draw that You have to have precinct lines And the precincts change from election to election So you've got to go down to the block level and essentially build a complete data base Then you've got to run statistical packages to find if there are significant statistical differences between the way one precinct votes, which is made up of primarily of Latinos as compared to a white precinct in the same election So that's an expensive process Then you need historians We had several [Professor] Ricardo Romo from UT [University of Texas] Austin testified in the L A County redistricting as did [Alberto] Camarillo this guy from Stanford

VASQUEZ Albert Camarillo

HUERTA Yes I know they testified because they were there testifying on the same day I did I had never met either of the two gentlemen although I had heard of both of them previously We had lunch together that day but they had to have

their way paid They were flown here put up in hotels while they were waiting to testify There are lots of costs associated with litigating that So these are not cheap cases The attorneys do get paid so attorneys' fees are a large part of it

VASQUEZ All right We were talking about some of the shortcomings or errors the negative lessons that might have been learned in the CFR effort

HUERTA Well other than not having the resources to follow through with litigation I think litigation is an important part of it I don't know whether it's possible to bring together a statewide group around redistricting that you plan to merge into some other permanent group I think the established organizations would feel so threatened by that that they probably wouldn't participate as fully as they would in a coalition And getting the established organizations to support you is a real key

VASQUEZ Just talk to me a little bit about the internal organizational dynamics You were talking about very important but sort of external things to the kinds of efforts that will probably be modeled

to one degree or another on the CFR experience Or at least the lessons that should be able to be shared with those trying to make the efforts in the 1990s Say you were trying to pass on some of the wisdom that you acquired as a result of that effort to the 1990 effort What kinds of things in terms of internal organization would you tell them to be on the look out for or advise them on?

HUERTA Well I think in terms of internal organization that you need to have a regional representation I think it has to be based on your major population centers I think the headquarters has to be in L A because of the media that's located here and the dominant interest that the L A Times has The L A Times dominates the other media the radio and TV So playing to the L A Times is a real key All the legislators read it

VASQUEZ Especially this year Especially now that there's only the L A Times?

HUERTA Right I think it's important to have a coalition I think it's important to have our recognized leaders I think César Chavez would

not come along with it

VASQUEZ How did he act in 1981?

HUERTA He essentially stayed out

VASQUEZ Why?

HUERTA until the very end

VASQUEZ And then what did he do?

HUERTA He came in and supported Roberti on the senate plan The reason is Roberti's been really good to farmworkers on key legislation that they've needed And César keeps his interest foremost in the front because that's what he needs to do to survive So we agreed to disagree on the senate plan But I think key people like Mario Obledo Cruz Reynoso Vilma Martínez all could have a leadership position more of a titular advisory kind of blue-ribbon advisory group My general philosophy is more of a coalition builder to bring people in

VASQUEZ Let me put it this way then If you were to do it again--and in a way you are because you're working on the 1990 effort with other organizations--what would you have done differently than what you did in CFR?

HUERTA [Pause] I don't really know what you could do

that would be done differently given the reality of there not being any resources There being just volunteer workers

VASQUEZ Let's take one Starting earlier Not waiting until 1981 or 1980 Or not waiting until 1990 Has that been something that people learned from this time around?

HUERTA Well I don't know what we would have done had we started earlier To me it wasn't a problem of not starting early enough Because there was a long period of time where we were just going through the motions kind of stalling for time waiting for the data to come out We were trying to organize people But trying to organize people around redistricting without an issue--other than an abstract issue of fair representation--is very hard to do As I've mentioned it wasn't till Willie Brown opened his mouth and put his foot in it [that] he gave us an opportunity to do some real hard organizing But had that never occurred I don't think we would have had the statewide visibility the support in our own community

VASQUEZ You might not have had the momentum by the time

the data did come out?

HUERTA Yes So I don't see the time of our starting as being any handicap I think had we been successful bringing blacks into the coalition I think we could have been more successful

VASQUEZ Do you think that might be easier next time around? Demographics and political attention to the Hispanic community have changed since then

HUERTA Yes I think blacks are real threatened by us now in a way they weren't previously Maxine is going to be in the Congress I don't know who's going to be elected to replace her But there's going to be more opportunity to move the black population around a little bit to accommodate needs for Latinos I think because of her being gone It's going to be hard to maintain four blacks in the assembly and two in the senate Essentially it's going to be the Latino population that will support that I don't think the Latino community will have any difficulty doing that But because of our incredible numbers in South Central Los Angeles they're going to be threatened by that I think for there to be harmony amongst the two largest

racial groups they ought to be working together At least having a dialogue if not in the same coalitions So I'm not sure there's a lot that we'd do differently What we need to do differently this time is have our own data base

VASQUEZ Why?

HUERTA So we aren't dependent upon the Rose Institute Have our own resources

VASQUEZ Southwest Voter Registration Education Project claims that it has that capability now Is that true?

HUERTA Well at the time I talked with Richard [Martinez] he was working on it He had a commitment for some hardware I think Digital Equipment Corporation was making a donation of the hardware What he didn't have at the time I talked to him--but he was still working on it--was the software

VASQUEZ Which is really the jewel of the set right?

HUERTA Yes

VASQUEZ Not necessarily what the Rose Institute has but at least that Then it's the software that allows you the quickness to manipulate that data

HUERTA Yes

VASQUEZ To be able to come up with alternative plans on an almost momentary capability

HUERTA Yes it's an important ingredient The hardware of course is important too Because you've got to have the muscle power to do it But I forget what model of the [computer] that's being donated but it's one of the major ones The price of hardware has really fallen over the last ten years so that it's not that big of a thing There are a lot of software packages out there now for redistricting There weren't any commercially available in 1980 You had to write your own previously

[Interruption]

VASQUEZ Yes Now they've even advertised in the California Journal

HUERTA Oh yes Right

VASQUEZ The programs

HUERTA Well I went to this redistricting conference that the Democratic national committee had on down in Newport Beach in January and there was a whole There was probably two dozen vendors there of which a dozen had software

packages on redistricting That gives you an idea of the competition in the field for it

VASQUEZ Well that should work to your advantage right?

HUERTA Well yes Sure It lowers the price incredibly for that

VASQUEZ Let me ask you about another area and this is kind of a difficult question Some people have said there had never been such a sophisticated and effective effort at a grass roots level in the Latino community in California [They were] mobilizing around and bringing the public attention to something like reapportionment At the same time that you have a critical number of players in the legislative bodies themselves and particularly in the case of Alatorre on the assembly side heading the Elections and Reapportionment Committee And there seemed to be an incapacity to work together to the fullest possible extent that might have been attained Is that a fair criticism?

HUERTA I don't think so

VASQUEZ Explain that for me

HUERTA You know Richard was appointed by Willie Brown Willie Brown needs forty-one votes to be

Speaker of the Assembly He's interested in protecting that base and expanding it Richard has to serve that need I'm sure if Richard was king and was not responsible to anybody and could draw the kind of districts he'd want we would have a different plan But that isn't the reality What we had to do and what we have to do this next time is keep enough pressure on Willie Brown to make him think that we're a viable option That if he doesn't at least satisfy our demands And I think our track record now is that we're fairly reasonable when dealing with him We made a set of demands didn't get everything we wanted but we ended up supporting him because he gave us substantially something that could satisfy at least a majority of our members

Richard had no authority other than what was given to him by Brown And he only got that authority because of pressure that we put on Brown So whether Richard was in that spot or anyone else I don't think it makes much difference I mean Richard gave us information which we were able to use during the process to

help us To bring us together a little bit more I think in terms of giving us an idea of what reality in terms of what we could achieve was And I think we accomplished everything that we could have given that [situation] I think had Richard not been there there probably would have been more confrontation with the legislature But I'm not sure we would have gotten anything more out of the process It was the bottom line

VASQUEZ In at least one assessment of gains and losses some people that were central to the effort the CFR effort came to the conclusion that perhaps a broader base of participation and activity and involvement and inclusion in a reapportionment effort might provide better results

HUERTA I would agree with that The question is how you do it Talking about how you want more people involved is great at a theoretical level To try and turn them out even to a ten-dollar fund-raiser or to have them write a letter or turn up to a hearing that is very difficult to do Because people have other obligations other priorities in their lives

VASQUEZ Two groups that are mentioned in that assessment I'm referring to are students and business people What's in it for them? What's in reapportionment for them? How do you attract those people?

HUERTA Well we had some students involved Not as many as probably we could have I don't know that there's anything in it for anybody that's laboring in the vineyards on this task You know you could look and say There's something in it for Estebán Torres and Marty Martinez Beyond that there wasn't really anything in it for anybody I don't think anybody got any benefit out of it other than the sense that We're all doing this because we think it's going to benefit our community in the long run We get some internal satisfaction out of doing that that's why we did it I would say that's true of everyone that was doing it I don't think there was anything else out there So the extent that businessmen or students feel good about advancing the interests of our community that's the reason for them to be involved There's no direct payoff other than learning something about

the political system And learning something about organizing I mean there's educational things that occur There are media skills that can be developed computer skills that can be developed But there's really But you know that isn't the reason you should be doing this

VASQUEZ What is the reason?

HUERTA It's because you think it's going to advance the interest of the community That's the reason we were going through this game

VASQUEZ Now you were personally very much opposed to the [Assemblyman Don] Sebastiani plan Tell me about that It was a Republican plan

HUERTA Yeah

VASQUEZ That eventually was co-opted--I guess you would call it--by the governor by a Republican governor But why don't you lay it out as you understood it

HUERTA I'm not sure I remember much about the Sebastiani plan I know I wrote a brief in opposition to it But essentially what we were trying to do was hang onto the gains that we had made in the legislative redistricting that occurred

VASQUEZ Even though in 1970 the masters plan came out of a court decision you were trying to avoid a court decision over the fate of reapportionment

HUERTA Right

VASQUEZ Why?

HUERTA Well you don't know who the master is going to be that time around The other thing is Californios cut deals with both the assembly and the congressional to support those plans And I don't think you can then turn around and attack them in litigation If that's At least I felt that if I gave my word on those I wasn't about to do that

VASQUEZ Explain to me your position on the preference for reapportionment to be done by the legislature itself--or by some kind of a commission or blue-ribbon panel--for the efforts of a minority community like the Latino community in California?

HUERTA Generally I believe that the legislature ought to do redistricting as opposed to a commission or a blue-ribbon panel My reasoning on that

If a commission were made up of elected officials For example if you said that

each of the statewide elected officials would be a member of the commission for redrawing the legislature seats I would support that The governor lieutenant governor treasurer secretary attorney general insurance commissioner But once you remove that level of direct responsiveness to the community I am suspicious of what goes on behind closed doors A master that's appointed by the court may or may not happen to draw a good plan for us In 1973 the master did That wasn't one of his charges He did it as a windfall to us That was nice But I've seen enough masters in other cases come up with results you don't like in given cases They weren't redistricting cases

VASQUEZ Who was responsible for that windfall?

HUERTA I don't remember the master's name But that's something we could look up When you have a commission that's made up of some formula appointed by this governor or They come in all different ways representatives of retired justices of the courts of appeal or appointees of the supreme court or whoever Those are not folks that are responsible to electors Still

redistricting drawing lines is a political decision How you draw that boundary And that brief that I gave you on Davis v Bandemer [1] it really talks about community of interests There are ways you can talk about criteria for drawing districts A lot of these plans for commissions are based on criteria that sound very neutral For example to have tightly compacted districts It sounds entirely neutral

VASQUEZ Community integrity?

HUERTA Yes But it doesn't necessarily benefit the Latino community For example if you look at the way the Los Angeles River flows through the city of Los Angeles Our population in many ways is spread along the banks of the Los Angeles River And if you draw tightly compact districts you might cut us up into two or three districts when you could combine all that population into one major supervisorial district So when you hear these things that sound great in the abstract you've got to really

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1 Davis et al v Bandemer et al 478 U S 109 (1986)

look at how they impact on us So I'm skeptical of mandated criteria and skeptical of non-responsible nonaccountable people I know elected officials are harder for us to manipulate and influence That's very difficult to do But that is going to be much easier than taking a retired justice of the court of appeals and having him come out the way I want him to

VASQUEZ So accountability is a great concern of yours?

HUERTA That's correct

VASQUEZ How about representativeness?

HUERTA Well

VASQUEZ Are these masters likely to be less representative than an elected official?

HUERTA Well the commissions definitely have been historically They have not provided for adequate minority representation on them That even if they do I want to know who is appointing the minorities Because as you know there are coconuts in all kinds of shades and colors And I am I want someone on there that's going to look after the interests of the Latino community If someone's going to be on there Because there can be a lot of horse trading

that's done back and forth by a commission

VASQUEZ So it's as much horse trading as it is pressure politics?

HUERTA Oh yeah

VASQUEZ Some of this?

HUERTA Sure

VASQUEZ Well why don't we stop there for the day?

[End Tape 3 Side B]

[Session 4 May 11 1990]

[Begin Tape 4 Side A]

VASQUEZ We've discussed reapportionment at the state level in terms of assembly state senate and congressional districts Let's talk some about the county level The county reapportionment which you have been involved with and know something about How does reapportionment at the county level differ from the other three levels?

HUERTA Well it differs dramatically because there are five people that are involved in the decision and you need four out of five votes There are five members on the board of supervisors so it requires a super majority So if any two people got together if they hung it up it would then go to a three-person committee The three-person committee is of the other three countywide elected officials which is the county assessor the district attorney and the county sheriff The county was controlled in 1980--and is

controlled now--by three conservative members of the board and two liberal members the two liberal members being [Supervisor Edmund D] Ed Edelman and [Supervisor Kenneth] Kenny Hahn And it was our hope that the two of them would hold out and throw it over to a Democratically controlled subcommittee Because you had The sheriff was a Republican but [Alexander] Alex Pope was the county assessor and John [K] Van de Kamp was the district attorney Essentially they would have redistricted--it was our belief--in a manner that would have given Latinos representation on the board of supervisors

VASQUEZ You're talking about the 1981 reapportionment now?

HUERTA Yes So essentially that is one way it differs from the state In the state you have to pass it by a majority in the legislature Then it's approved by the governor and it becomes law So that's one crucial difference that affected how we decided to approach this thing

VASQUEZ Let's talk a little of the anomaly that is Los

Angeles County You have five supervisors who have been called the five little kings Each has approximately 1 8 million constitutents They oversee a total annual budget of something over $9 billion which is

HUERTA It's bigger than about forty-two states

VASQUEZ [Laughter] It competes with forty-two states in the country It's officially nonpartisan

HUERTA It would be something like the tenth largest If it were a separate country it would have the tenth largest economy in the world [Laughter]

VASQUEZ Exactly You've had It's been called a position to get into because it's hard to get people out You've had people like Kenny Hahn for example who has been on the board since 1952 Pete Schabarum who just resigned in a surprise move was on there since 1972 or for eighteen years Ed Edelman's on there sixteen years And both Antonovich and Dana have been on there for ten years What's wrong with that?

HUERTA Well there s a lot wrong with it First of all nobody knows what county government is or understands it Although everything's done in public meetings the electorate do not understand

how county government works The board of supervisors keep an iron hand on all the staff So there's very little that's understood about how county policy impacts It impacts on everybody tremendously But people don't understand the impact and they don't know how to move the system to have it be more responsive to the people Because they don't get a handle on it If you polled one hundred people I would not be surprised if ninety-eight out of a hundred [didn't know] who their supervisor was

There's not a lot of visibility in these offices even though there's a lot of political power That's because the media doesn't cover county government on a regular basis None of them do I would even be surprised if the L A Times had somebody assigned to every single meeting of the L A County Board of Supervisors in advance And the TV media never cover it unless there happens to be something hot or if they had a press release from somebody to go down there and cover it

So these folks wield incredible power The entire health system which is in a horrendous

state of poor quality right now is suffering Poor people and lower-income people generally are suffering from the quality of care that they're receiving The quality of care for the emergency trauma system Emergency care centers throughout the county are being cut way back on That is going to impact somewhat on the middle class more because people need emergency services regardless of economic background The entire welfare system is all county based in the state And the quality of services They are deficient in providing bilingual services both in the health care

[Interruption]

So the Latino community suffers because of the quality or the lack of bilingual services in both the health care and the welfare system When people go in there may be a few people that speak Spanish but it's When you look at the clientele it's a very large number of Spanish-speaking people that are dependent for these services And they're not getting assisted All the probation departments are county based The sheriff's department There's

all these county services--fire department is one--that don't have adequate bilingual services If you've got a fire and you call them up and you're monolingual--Spanish-speaking--your place can damn well burn down before they ever send a fire truck over to tell you about it They have to switch you through several numbers

I had my house burglarized and I called the police and I requested Spanish-speaking services This is in Highland Park So it's the city of L A where the same problem exists But it exists with county too Because I wasn't going to be there I had a carpenter who was working there during the day who was Spanish-speaking only And I said Send out a Spanish-speaking police officer My carpenter was there and opened the house in the morning and saw where they had gained entry and had all the information So he had better information than what I had He should have been the one to give the report Well they sent an English-speaking only crew and they ended up not taking the report So after I raised hell with the LAPD [Los Angeles

Police Department], they sent a captain out and he took the report And it was taken But you've got to really scream bloody murder And if you're not If you don't know how to push buttons in a bureaucracy to get that kind of response you get ignored even though you're trying to get services So that's an incredible problem

You look at parks in the county of Los Angeles You're going to find beautiful green parks in the San Fernando Valley all over the place You look on the east side you look in Schabarum's district Ed Edelman doesn't care about parks that much and he's responsible for East L A So we've got real shitty parks in East L A You go over in Schabarum's district which is San Gabriel Valley--even though there are a lot more Chicanos there--they've got better parks they can go to because Schabarum cares about parks

VASQUEZ He names some of them after himself too Doesn't he?

HUERTA That's right It's incredible that these guys don't wait until they kick off anymore to name

parks after themselves There's a parks advisory commission and so the members of the commission get parks named after them Gloria Heer who is chairman of the L A County Parks and Recreation Commission has a park named after her in the San Gabriel Valley region I think it's absolutely incredible As if we don't have enough illustrious individuals in the history of this county and in this state to name parks after There probably is an area that you can look at in terms of golf services and that sort of thing You're going to find public golf parks where they spend a lot of state money and county money to subsidize them because those are middle-income middle-class services Same thing if you look at the yachts and the harbors that are maintained and all those kinds of middle-class services Those beaches and services and all that kind of stuff have great services But you try and talk about basic fire and police protection in Latino communities it's just not there

It's not in the health care system It's not in the medical And we don't have the political power because of the way we've been

cut up to really demand those services If you really redraw those districts Edelman now has a piece of East L A and the Westside Schabarum has a piece of--I think he represents Huntington Park--one of those areas--and the San Gabriel Valley Hahn comes in and picks up Lynwood And Dana picks up Compton And in that very poor South Central community everybody's split up in everyone's district Well none of them care about that because they're not elected by a substantial number of those folks So they respond--Dana--to the people along the beach because that's primarily who he represents Schabarum primarily to the San Gabriel Valley but especially the foothills of the valley where the upper-income people are Kenneth Hahn is very responsive to the blacks in his community but not to the Latinos They have clean parks They're well maintained in South Central Los Angeles because he gets on it and makes sure that happens But in terms of making sure that adequate services are delivered to the Spanish-speaking population say at Martin Luther King [Jr] Hospital he doesn't care about that

Because the Latino community doesn't elect him and that's not a priority for him

So because we're divided up in all these different districts and are not a significant number in any of them in particular we don't get the kind of quality of services that we'd get if we had one or two supervisors that we could look to for servicing our needs

VASQUEZ At the basis of the present lawsuit and controversy is the 1981 reapportionment--redistricting--that five supervisors including Schabarum who will no longer be there

HUERTA Schabarum's there until the end of the year

VASQUEZ Till the end of the year that's right Conducted themselves The charges are as I understand it that they very neatly cut up the Latino concentration of population amongst themselves so that it in effect weakened any kind of political clout They argue that there was no intention at all at trying to minimize the impact electorally of the Latino vote Is that the basis of much of the controversy right now?

HUERTA Well that's what they claim that there was no intention First of all

VASQUEZ Before we get into that why don't you give me some history of your understanding of how the county has been redistricted say over the last twenty to twenty-five years?

HUERTA Okay Ed Roybal he used to be a member of the city council He ran for the board of supervisors I believe it was in 1958 He came very close to winning In fact there were several recounts that occurred And he ran against

VASQUEZ Ernest [E] Debs

HUERTA Yes Ernest Debs Once Debs was elected on the recount they weren't required to have a redistricting Because you didn't have one person one vote at this time and all that They decided they wanted to redistrict anyway What they did was redistrict in order to protect Debs They did a switch of Latinos out of his district and it essentially split the Latino community between his district and the first district which is the district that Schabarum currently has They moved the lines around so that there was no way Roybal could run against either person and have the political base to

win They did that purposely and with intent to keep the Latino community down at that time

Then there were a series of other redistrictings that impacted upon our community and I can't It's been a long time since I've looked at the specific movidas that they did But they moved different chunks of the Latino population around into two--and then later on into three--districts to make sure that we were weak So that in the mid sixties there was another redistricting I don't remember the date Then there was one in '71 and then one in '81 The '81 had a small retrogressive impact on the Latino community That is they weakened us In Edelman's district they took us down a percent or two from what it was under the 1971 lines It wasn't a major line drawing but it's prohibited under the U S Supreme Court voting rights decision to have a retrogressive effect on a protected minority group

In addition they held themselves out as being concerned about discrimination against Latinos historically and welcomed our participation in the process In good faith the

Latino community introduced a plan--this is the Californios--and offered it to the board And what the board did is they also had this commission that went out and authored a plan and came up with it and recommended it to the board Under both those plans it would have created at least one Latino seat that was majority--or one seat that was majority Latino What Californios did it created a 50 or 51 percent seat for Edelman and ran a 43 or 44 percent seat for Schabarum What the board did is after the presentation to them at the following meeting they met in secret individually two-on-two So they would not violate the [Ralph M] Brown Act [1]

The Brown Act requires open meetings

VASQUEZ Right

HUERTA You can't have three members at any one time And they went in and discussed the lines and did their redrawing right there with their consultant and went ahead and adopted the plan ignoring their own commission ignoring the recommenda-

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1 Brown Act Cal Govt Code ç 544950 (1953)

tions of the Latino community and adopted this plan which Surprisingly enough it protected all the incumbents It improved their chances of surviving as if they've got any real challenges against them anyway So that's kind of what happened in 1981

VASQUEZ Now in May of 1984 under [Assistant Attorney General] William Bradford Reynolds the Department of Justice filed notice He gave notice to the supervisors that they had three months to try to come up with another plan that would correct what they identified as a conscious effort to dilute Latino efforts in electing Latinos to the county board of supervisors But there had already been efforts by MALDEF Is that right? Tell me what the relationship between the MALDEF-ACLU effort is and the department of

HUERTA I think the May '84 you're talking about is the L A city redistricting

VASQUEZ I'm sorry No May '88

HUERTA Oh yeah Because in '85 the Justice Department did sue the city

VASQUEZ Right No I'm talking about May 24 1988

HUERTA Yeah I was with MALDEF employed by them all the time I was involved with Californios We discussed whether we should sue the county over the lines they adopted and we came to the conclusion that we couldn't afford to do the litigation

VASQUEZ Do you think it was a mistake not to have done so? I understand the constraints But was it a mistake not to have litigated at that time?

HUERTA Well we don't live in a perfect world MALDEF had no money for voting rights I mean they tried to get They had 10 to 20 percent of one attorney position There were four attorney positions The positions were funded by projects In other words [Andrew] Carnegie [Foundation] gave us $2 million over two years for education Well one of the attorneys was funded to do education work They had specific money let's say from the Ford Foundation to do Chicana rights work Or they had specific money from some other foundation to do immigration work But there was no one that funded us any money at all to do voting rights work in California There was money for Texas for voting

rights work And the board in adopting a budget gave us 10 or 20 percent of one position --of one attorney--which amounts to about four to eight hours a week to do voting rights work Well you can hardly tie your shoe for four hours a week on voting rights litigation There's just no way MALDEF had spent over $300 000 in this litigation but they had shared the work with ACLU who spent at least an equal amount So that's around $600 000 And Justice has spent over $1 million in attorneys' fees So that's about a $1 5 million--ballpark figure The county has spent over $4 5 million in defending the litigation So in retrospect I'd have to say given those facts The reality is we tried to raise the money It wasn't there It wasn't a mistake If I had the money I mean that's where I'd put it But that was essentially a board decision in terms of allocating resources

VASQUEZ Might it have made a difference had you been able to?

HUERTA In terms of the outcome?

VASQUEZ These are conjectural questions I understand But I'm trying to

HUERTA Okay Well

VASQUEZ Timing is what I'm trying to get to

HUERTA First of all it surprised the hell out of us when Bradford Reynolds decided to sue the city of Los Angeles Most people in their analysis said Well because it's a Democratic city they want to give them a black eye right before the elections '

VASQUEZ Uh-huh [Affirmative]

HUERTA And that's why they did it With the county since that was a conservative board we recommended to Bradford Reynolds at that time in '84-'85 when they sued the city that he also sue the county We never expected hearing anymore from that because we thought it was just a pretty crass political decision And they ended up almost five years later suing The question is I don't think MALDEF would have filed the litigation In fact I'm pretty certain that they wouldn't have had Justice not made its decision to come into the litigation MALDEF decided they could get in the litigation and spend less money because they could leverage the resources of the Justice being in there Also

working with the ACLU they could have a voice with the Latino community by suing and being part of the litigation So they'd be involved in the decision as to what kind of plans were adopted But they didn't have to carry the brunt of the litigation themselves Where had we sued in '81 and Justice not come into the litigation--and it was just us (MALDEF) and the ACLU--both organizations together could not afford to take on that litigation They can't The county just has too much in the way of resources These guys are spendthrifts They're not afraid to spend the public dollar on defending their own political hide The sky's the limit as far as they're concerned and that's the problem on that

VASQUEZ What is their defense based on? What has the other defense been based on? Well let's walk first of all through some of the steps They get a notice that they will be sued unless they respond to a letter from the Justice Department Their own counsel tells them they need not respond Antonovich tries to buy time In fact what they do Don't they

spend $40 000 to commission the Rose Institute to do a study on this?

HUERTA Uh-huh [Affirmative]

VASQUEZ What comes out of that?

HUERTA I don't think very much at all I think all they were doing was stalling Justice to keep them from moving Figuring if they can put them off enough time it'll be too close to the election and therefore no decision will be made I'm sure they used all kinds of political influence which we don't know about But someday that story will come out I am sure They've gone back and they've met with the attorney general and Bradford Reynolds and tried to get them to back off But I don't know that whole story

VASQUEZ Two weeks before Justice does file the suit MALDEF and LULAC filed a suit Do you think that precipitated

HUERTA MALDEF and ACLU

VASQUEZ ACLU filed a suit Do you think that precipitated Justice to

HUERTA I don't think so I think Justice had already made the decision to come in but hadn't finished all the bureaucratic steps that they had to do

And I think MALDEF filed so that they could be the lead plaintiff in it and be in a position to participate But I don't know the answer to that I think had Justice decided not to come in they wouldn't have And the fact that MALDEF sued wouldn't have made any difference

VASQUEZ You don't think so?

HUERTA No I think the decision had already been made at several different levels within the Justice Department The fact that MALDEF sued it just took them a couple of weeks to

VASQUEZ Why would a Republican administration go after a Republican-dominated board of supervisors in a county that's so important to the Republican party?

HUERTA Well the Latino population is a very important population to the Republican party It is a swing vote We may not have a large number of registered voters for the size of the population that we have The reason for that of course is the large number of immigrants and the large number of youths that we have under twenty-one years of age But putting that aside the Latino population is a swing vote There's not the

heavy party allegiance that used to be in the Democratic party and Latinos tend to vote candidates a lot more

[Interruption]

Being a swing population where you have close elections Bradley for example when he ran against [Governor George C] Deukmejian for governor the second time around and lost Or was it the first time? He lost by 65 000 votes or something like that Well in one sense Latinos who voted for Deukmejian could take credit for having swung the election to him In any close race you can say Well it was the gun initiative that happened to be on the ballot that was responsible for that There's all kind of factors You can point to the fact that in South Central Los Angeles Bradley ignored the black community and didn't turn out the vote If he had just turned them out in South Central Los Angeles he would have won

So there's all kinds of factors to contribute to it But nevertheless in political elections it's the margins that count Because the Latino community There is a pool of

people who vote for both Republicans and Democrats That makes [us] more sought after than a group that always votes with one party or the other party So I think there's a lot of symbolism to the Republican party The other thing is Bradford Reynolds I think made a clear strategy decision sometime during his administration to cater more towards Latino civil rights than black civil rights A number of decisions that they made were very clearly anti-black Some of the symbolic things that it did like taking on the city and the county of Los Angeles were certainly pro-Hispanic And they didn't make other symbolic decisions like that with reference to the black community

VASQUEZ Give me another example of that will you? If you can

HUERTA I'm not sure I can give you another one off [the top of my head] without checking my sources

VASQUEZ But you get the sense that it was a conscious strategic decision?

HUERTA Well I think you can read the facts that way I mean you asked a really tough question I know Schabarum is not in good standing with

Republicans generally even though he likes to consider himself the father of Republicans in Los Angeles County He's got such an abrasive personality that Dana and Antonovich really don't care for the guy very much He tried to get a job in the Deukmejian administration tried to get a job in the Bush administration He was ignored by both of them

VASQUEZ He wanted to be secretary of transportation didn't he?

HUERTA That's right They selected Antonovich's deputy [actually a personal friend Elaine L Chao] as the undersecretary of Transportation It was a real slap in the face to Schabarum Essentially when it comes [time to get] back a report on Schabarum people just say We can't work with him He's too much of a loose cannon He does what he wants [depending on] how he perceives it So he's not an easy guy to get along with And so he doesn't have the clout at a national--or even a statewide level--that he'd like to have

VASQUEZ All right So then MALDEF and ACLU filed suit and they joined the suit with the Department of

Justice

HUERTA Right

VASQUEZ What role does the Democratic party play in any of this? Up to this point?

HUERTA The Democratic party hasn't played any role in county politics or next to none These are non-partisan decisions

VASQUEZ Officially they are but

HUERTA Well the Republican party has taken a very active role

VASQUEZ Right

HUERTA When Dana was up for reelection The first time he ran against Burke

VASQUEZ Yvonne?

HUERTA Yeah [Supervisor] Yvonne Braithwaite Burke And he ran a really racist campaign Mailing her picture out so all the people would know she was black and debating her Challenging her on school busing Saying she was in favor of school busing Well this isn't the board of education This is county government But he knew what the reaction of the white people would be And that's whom he sent the mailers to not to the blacks that lived in the district And so he was

able to defeat her

Well the next time that he came up for reelection Alex Pope--who was a county assessor and a Democrat--ran against him I think the Democrats and also the unions really had their top opportunity to knock Dana off because the district hadn't been redistricted as of that time Pope had a chance of getting him but he couldn't raise money The Democratic party didn't do anything really to raise the money Even the unions with the And I find this just incredible The policy of the county board of supervisors was to contract out

VASQUEZ Uh-huh [Affirmative]

HUERTA county services So a lot of unions lost power American Federation of State County and Municipal Employees especially within the county government They didn't do very much I mean they endorsed Pope and they raised some money for him but not on the level [of what] Republicans raised to get Deane Dana elected the first time around No one made that a priority

VASQUEZ To whom do you attribute that blunder? Or what

appears to be a blunder

HUERTA I attribute it to our traditional way of looking at political power saying "The folks with the real power are the federal government back in Congress the senators and the congressmen and the people in the legislature " We don't understand and appreciate people that are active in politics The power that is held at the local level And I think they did I think if the unions who should have understood that had put all their resources in the campaign The AFL-CIO should have come behind Pope [with] a huge not only endorsement--but financial support and getting out and walking the precincts

[Interruption]

The climate that this was occurring in was there was an all-out assault by the Reagan administration on organized labor Here's an area where organized labor could have come together and said We're going to make this an important stand for labor on the political level But they didn't do that I wasn't involved in the campaign I just watched it from

outside But it just really struck me as here are folks who are missing a great opportunity Because Dana did not have that safe a seat The guy's dumb I've debated him several times He's not articulate He doesn't have a good handle of what the hell is going on He's kind of an ideologue And Pope is an intelligent savvy guy

VASQUEZ Who's behind him? Dana

HUERTA Well Schabarum was I mean essentially

VASQUEZ Then?

HUERTA Right now

VASQUEZ Just his sources?

HUERTA Yeah When he first

VASQUEZ That was enough?

HUERTA That was enough He raised over $1 million and put it into the campaign You've got to remember these are such huge districts

VASQUEZ Uh-huh [Affirmative]

HUERTA They're not highly visible campaigns They don't buy a lot of media time What they use are slate mailers and they very carefully mail to these addresses Hit pieces Doing-in folks building up the candidate and getting people out

They're not your typical campaign where you see a lot of high visibility So you need

VASQUEZ What kind of interests would you identify behind Pete Schabarum then? Or were behind him

HUERTA Oh very clearly development interests The county has grown incredibly over the last decade And it's because of the policy of the board of supervisors They have a no-holds barred approach to development of the county They do everything they can to encourage it To them development is synonymous with good There are no limitations on growth These folks are very shortsighted They don't develop or require the development of any infrastructure in terms of freeways and sewer systems and schools and all that sort of thing They say Go ahead Put in your housing project Great! Put it in You know it's more white middle-income voters--that's the way they look at it--that are going to reflect their values Because these are not low-cost housing that's going in They haven't built any low-cost housing--the county I mean--in the whole decade to speak of So developers can make a lot of money So if you

look at their [campaign] contributions that's who supports them primarily developers real estate agents lawyers who assist developers that whole group That's the economic forces that are behind all of this That's the real battle The environment has lost Poor people have lost It has created an increase in property values The deterioration of county services The deterioration of infrastructure that our next generation is going to have to pay for

VASQUEZ Walk me through if you will from the time that the suit was filed in '88 up to the time that Pedro Schabarum[1] decides to retire from the board

HUERTA Okay

VASQUEZ The highlights and the things that will be interesting for the historical record

HUERTA I'm probably not the best person I did not have a hand in litigating this case I've just been observing it And so there's

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1 Refers to ironic use of Supervisor Pete Schabarum's name by Latino critics because of his repeated announcement that he had a Mexican grandmother

VASQUEZ Weren't you an expert witness at one point?

HUERTA I wouldn't say expert I was a witness A precipient witness I had a role of testifying in it As with most litigation it goes through a pleading stage The Justice Department and MALDEF filed their complaint as we've previously indicated The county brought a motion to dismiss They argued essentially that you can't count undocumented aliens This has been an underlying issue which the judge has avoided

VASQUEZ Who was the judge in the case?

HUERTA Judge [David V] Kenyon He was a very good judge A very bright guy Very able I'd say his only defect and the only criticism I make of him is he tends to procrastinate--even a little more than other judges do--and put things off And he can be pushed into putting things off

VASQUEZ And to whose benefit does that work?

HUERTA Well it's working in this case to the county's benefit It usually works to the defendant's benefit if they can stall off the ultimate date in which they get a judgment against them if they're likely to lose But unlike a lot of other federal district court judges here I think

he's brighter and I think he is scrupulously honest hard working I think he's a fair person who has a good sense of what the law is I prefer that over a lot of other judges who can make quick snap decisions but forget about what they're supposed to be doing in terms of justice and applying the facts of the law So I'm glad the case is in front of Kenyon

The county has taken the position that you can only count immigrant--excuse me--citizens that are of voting age and dwell in the district

VASQUEZ Which is impossible and they know that

HUERTA Well they say it isn't possible I think it is I don't think the law requires that number one Secondly if it did I think you could still draw a district that would essentially do that And you can draw that today You could draw it in 1980 What I would do is take three congressional seats Three congressional seats are exactly the size of a single board of supervisor district Each congressional seat I think is 525 000 people You could take Roybal's seat and next to that is Marty Martinez and next to his seat is Estebán

Torres If you drew a line around all three of those and said That is one board of supervisor's seat That would be a majority Latino within the seat And that seat would elect a Latino to the board of supervisors

VASQUEZ Their response was and is that that would be a quota system and it would be absurd because then you'd have to do that for all the discernible cultural groups

HUERTA Well you have to Well the argument is the law requires you to do that when there's a history of past discrimination as a remedy to alleviate that discrimination It would be the appropriate [thing] to do under these circumstances The only other

VASQUEZ Does the other suit have us up to date adequately showing that there's a history of discrimination?

HUERTA Oh yes

VASQUEZ Against Latinos?

HUERTA There's no question about it They've shown a record They had this guy from They had Ricardo Romo testify from the University of Texas at Austin and they had this Chicano historian

from Stanford

VASQUEZ Albert Camarillo?

HUERTA Right Alberto Camarillo testified about the history of discrimination in this state and in this county against Latinos Then there was testimony about discrimination against Latinos in terms of the Roybal campaign that I told you about in 1958 That has been developed and is in the record I think the judge will find Well I think the judge will find it The question is whether he will find intent to discriminate He's not required to under the Voting Rights Act Since he's not required to I don't think he will I think Judge Kenyon's personality is such that he will find that the effect of what they did was to discriminate against Latinos Therefore give us a remedy in redrawing districts [and also] giving the county an opportunity to draw up a plan that comes into compliance Lacking that then asking the other parties to or possibly appointing in a master to do it But essentially that was their argument

You could do the same things for blacks

There are three black congressmen that have contiguous districts You can draw that together and it would essentially be Kenny Hahn's district Then you've got three other supervisorial districts that you can draw around that without very much difficulty You take three Jewish congressmen for example and draw your third seat Edelman could have that one Then Antonovich and Dana could have what's left over That would be a very easy way I could redraw that plan in about fifteen minutes on a computer

So that's their major argument besides saying There's no discrimination and there's no history of discrimination I mean essentially they go point-for-point They argue there's no racially polarized voting There was testimony offered by MALDEF and ACLU and also by Justice that there is racially polarized voting against Latinos That Anglos do not tend to vote for Latino candidates or for the candidate that the Latino community supports And that's the point You don't necessarily have to be voting for a Latino candidate You can have racially polarized voting if the dominant group supports a candidate different from that of the minority

group And they can be both of the same race But if they're different candidates If there are clearly precincts that are predominantly minority that vote differently from those that are predominantly majority then you have racially polarized voting So I'm pretty confident that argument will prevail

VASQUEZ Schabarum in fact even said "Well I'm not sure why people are having trouble with this I after all have a Mexican grandmother Then he surprised everyone by pulling out What do you think motivated that?

HUERTA Well he had made it known very early on that he had a Mexican grandmother That was no surprise It had been in the L A Times in the early '80s But the way he let it be known during this litigation was kind of funny It really came up at the time that there were settlement discussions and the county proffered a settlement plan which would have put more Latinos into Schabarum's district The plan that the county came up with was still in my opinion, essentially a plan [where] it would have been very difficult to get a Latino candidate elected

in that district But by adding the city of Santa Fe Springs and I believe it was Monterey Park to the district you would increase enough Latinos by doing that to make it a lot easier

So if you viewed it as This is our opening offer, and we're willing to negotiate " then you have a basis for settlement of litigation I think that's the way that Deane Dana intended it Essentially Dana and Antonovich were looking after saving their own hides Rather than having a federal district court draw lines Let's proffer something that will sacrifice Schabarum But Schabarum went out and contacted all his fund-raisers that [have] helped get Dana and Antonovich elected and said This would end the Republican party's strength on the board of supervisors if you adopted this plan ' They put enough pressure on Dana for him to back off the position Actually Antonovich has taken the position pretty consistently He didn't mind settling the case but what he didn't like was the ACLU and MALDEF getting attorneys' fees from the county

VASQUEZ Ah

HUERTA So he opposed it

VASQUEZ But he had no problem with O'Melveny and Myers getting the fees Isn't that who they hired?

HUERTA No They hired O'Melveny and Myers represents them on some other things But

VASQUEZ John [E] McDermott?

HUERTA Yes The McDermott [Emory] Will and Hays law firm from Chicago McDermott Will and Hays I think is the name of the firm [1] John McDermott the lead lawyer is not the same McDermott who is in the name of the firm He used to be head of in the Western Center for Law and Poverty He's a very good civil rights lawyer and he has really marketed himself as having the expertise in civil rights law to these groups I mean he opposed MALDEF in the Pomona [single district voting] litigation

VASQUEZ That's right

HUERTA Yes

VASQUEZ So why do you think he pulled out? Schabarum?

[End Tape 4 Side A]

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1 McDermott is a partner in the law firm of Cadwalader Wickersham and Taft

[Begin Tape 4 Side B]

HUERTA I think a number of factors came together I think he thinks the litigation may well be successful The county won't be successful in the litigation Rather than have him be the sacrificial lamb which is what would happen and with his going out in some kind of disgrace now he can say "I'm going out as a winner Here I go So it's a combination of those factors I think county government has lost a lot of interest to him He likes being scrappy and taking on a lot of fights And people are tired of fighting with him because he doesn't make a lot of intelligent arguments all the time He takes a very hard ideological line and always repeats it Folks just get bored with dealing with that also With him So

VASQUEZ An interesting array of people have postured themselves as possible candidates for that office Some people have argued that the [reason] that he surprisedly pulled out was to avoid [the possibility] of Estebán Torres jumping in and entering the race? Does that make sense to you?

HUERTA Yes

VASQUEZ All right

HUERTA I think he knew what he was doing He pulled out by sending an aide down there at the last minute and then had [the aide] slip him out the back door The thing is by Esteban Torres refiling for Congress he can't be a candidate for both offices [He] can't withdraw his congressional one to file So that blocked him I think that was a very real thought on his part I think had he given a one-day notice and Esteban had filed for that seat that Esteban would clearly be the leading candidate And all these other folks [Judge Gregory] O'Brien who no one has ever heard of he's a superior court judge who is a friend of Schabarum's He'd be head and shoulders above anybody else that was a candidate for the office So it was a clever decision on his part

VASQUEZ Jim Lloyd seems to be a viable candidate

HUERTA Who?

VASQUEZ Lloyd

HUERTA Hmm I don't think so No Lloyd used to be a congressman in that area

VASQUEZ A congressman

HUERTA He had

VASQUEZ Estebán Torres's seat

HUERTA He had Estebán Torres's seat I don't know how good a race he's running

VASQUEZ How about [Councilwoman] Nell Soto the Pomona city councilwoman? The wife of ex-assemblyman [Philip L] Phil Soto?

HUERTA I don't know I'm not following that race close enough right now

VASQUEZ Well apart from the race because it probably is ephemeral at this point especially once the legislation gets settled

HUERTA The litigation

VASQUEZ I mean the litigation gets settled

HUERTA It will be redrawn pretty dramatically

VASQUEZ It will be redrawn

HUERTA Pomona may not even be in the seat

VASQUEZ Exactly Exactly Tell me how real do you think are the arguments? How good are the arguments for expanding the board? What is the ideal size for that board?

HUERTA Well you've got to look at what the judge's authority is for expanding the board of

supervisors You're going to have to prove a constitutional violation as opposed to a violation of the Voting Rights Act When I say a constitutional violation it would be a violation of your right to vote or a violation of the equal protection clause One of those two provisions If you can show that they intended to violate--their denial of those rights to Latinos--then the court can make a constitutional remedy by expanding the board of supervisors and overriding the county charter to do that

VASQUEZ Then he does have to show intent?

HUERTA He has to show intent to do that remedy Just to do the redistricting pursuant to Section 2 of the Voting Rights Act all he has to do is find that the effect of what they did was to discriminate against Latinos Not that they intended to do that So that's an important difference I don't think this judge will reach out I think he tends to split the baby more often than make real tough decisions But So I think that's the most likely I'll be surprised very favorably surprised if that's what he decides to do And that's what ought to be

done

The size of the board of supervisors even the form of county government are two different and difficult questions The judge isn't likely to expand it beyond two additional seats

VASQUEZ Seven

HUERTA Yeah to expand it to seven That's the remedy that was requested in the complaint that was filed by MALDEF and the ACLU MALDEF alleged a violation of constitutional nature for voting rights and right to vote The Justice Department didn't They only based their complaint on Section 2 of the Voting Rights Act The question is what size the county ought to be It's so large now that it's practically impossible for someone that doesn't hold elective office to run for that office because you need to raise an incredible amount of money And [with] the territorial size and the number of citizens and all that you're talking about a $1 million campaign at least You really need a formula in the county charter in my opinion So that every time the population reaches

[Interruption]

You really need a formula based on populations so that every time the population hits a new increment of say 500 000 or 750 000 you expand the board by a certain ratio So that there's not more than 500 000 to 1 say the size of a congressional district When you're doing that you're changing the nature of the power of the board of supervisors

I think there really ought to be an executive officer There isn't [one] now The members of the board of supervisors act in both an administrative legislative and even a judicial adjudicatory sense in terms of administering county government They wear all these different hats They're in charge of specific agencies that they oversee With more members on the board it ought to be more like a legislative function You ought to have an executive [who is] say elected countywide that's in charge of carrying out their policies

[Interruption]

That's really the only way you can get any kind of county services Right now if I need to

get a dead dog removed I know who to call and I can get him out of the gutter from in front of my house But a lot of people don't know how to do that how to move the bureaucracy They aren't going to get the quality of services that they're entitled to But if you have smaller districts and more members you're going to get much better services It's not going to cost that much more That's one of their big arguments It's going to cost hundreds of thousand dollars more to have all these members Because what they do is say 'Right now we've got five people and it's $1 million budget You put ten people on there you're going to need a $2 million budget Well that isn't necessarily true because they've got an army of staff support out there What you do is you divide up part of that staff support They aren't going to need as many people because they're not going to represent as many So it isn't a doubling of the size of the budget

VASQUEZ Do they earn the salaries that they make and the perks that they have?

HUERTA Do they? Well they range from people who hardly do anything on the board Edelman is one

guy who has a very laid-back approach is not very busy Antonovich is not very busy I mean they go to a lot of social functions shake a lot of hands But knowing about what's going on in county government Schabarum does work his butt off He knows what's going on in every agency that he's responsible for Those directors of the agencies cower in their pants when he comes down the hall He comes and visits them and he's a lot more hands-on Kenny Hahn is completely out of it His staff is Especially since his stroke Hahn is the master politician He goes to everyone's baptism birthday and church service in his district He knows every alley and works the political side of it well but not in terms of service delivery That [he doesn't do too] well

VASQUEZ Let's get to the possibilities of a Latino getting elected Who do you think is probably in the best position to get elected to the board of supervisors? Who would be a good supervisor?

HUERTA It depends on what the district is that's drawn

VASQUEZ There can't be too many variations You have a pretty contiguous population

HUERTA Yes That's true But you could draw it to leave Gloria Molina out and carve Mount Washington out It wouldn't be hard to draw a district to leave her out And she has indicated an interest Richard Alatorre lives in Monterey Hills He could be carved out of the seat fairly easily All you have to do is reach down to Highland Park go over and just take one little census track and they're out Then you can do the same thing for Gloria Esteban Torres would live in the district I don't know where Esteban lives But I mean in terms of gerrymandering there isn't anybody you can't carve out of a district if you want to do it You can always come up with little rationales why this thing jogs here instead of there

VASQUEZ But it takes more than just a drawing of lines It takes people having support having money having name recognition

HUERTA Sure

VASQUEZ Having a whole lot of different things

HUERTA And that limits the pool incredibly to essentially somebody that's a Latino elected official Those three whom I mentioned are the

three that are most prominently recognized You know Art Torres would probably like to run for it also He has had problems recently because of some drunk driving convictions--I think--which would cause him embarrassment I don't think it will keep him from getting reelected in his district but it's going to limit his ability to go beyond there Which I think is unfortunate because he's probably got the most potential of any Latino elected official in our community

VASQUEZ In what sense?

HUERTA In terms of being charismatic In terms of being able to build a national following He's a very good public speaker and has good contacts for example with the Kennedys [Senator Edward M] Ted Kennedy will respond to a phone call from Art Torres and fly out here and do a fund-raiser for him for example if Art asks him to do it There aren't other Latino elected officials that have that power though I think Alatorre can probably get [Massachusetts Governor Michael] Dukakis out here But nobody gives a damn now that Dukakis lost the election

VASQUEZ It is said also that Art Torres has good

connections with the California Roundtable Is that true?

HUERTA I don't know about that It wouldn't surprise me But he's pretty well thought of in Sacramento He's a hard worker He carries a lot of legislation He's reasonable to deal with on both sides of the aisle He's intelligent and that's a rare quality in the senate

VASQUEZ [Laughter]

HUERTA So he's ranked pretty high Probably in the top third of senators I don't know whether you saw that recent California

VASQUEZ Journal poll?

HUERTA Yeah Gloria Molina I think has more potential than any other elected official She also I think can draw a national following from the fact that she is a female Women's organizations tend to support her pretty heavily And she has always run for office against the establishment The first time she ran for the assembly she didn't have the endorsement of Richard Alatorre or Ed Roybal or any of the

VASQUEZ And she ran against Willie Brown didn't she?

HUERTA Well in a sense she did Willie Brown backed

Polanco and she beat Richard [G] Polanco for the assembly She did that by grass roots organizing She has shown her ability by taking on issues like the prison movement even though it was almost a lost cause But she has been the voice and provided a lot of effective leadership around that issue She's a real gutsy fighter and has got a lot of tenacity and hangs in there on issues She's a smart lady She picks her fights very carefully and she's not all political in the sense that she has to figure out Is this going to be good for Bradley? Or is this going to be good for anybody else? She figures out Is it doable? And then she does it When she ran for the city council again everybody in the establishment supported Larry Gonzales He was on the Los Angeles Unified School District board Richard Alatorre talked Larry into believing that he could be elected to that seat even after she had announced that she was interested in it She just rolled right over him in spite of the fact of everybody else's endorsing Larry So she's a major major player I see her manning a very effective

campaign for either being mayor of the city of L A or going for board of supervisors I think a lot of women--Anglo women black women--will support Gloria Molina that other candidates won't draw So it depends upon to some extent how the districts are drawn And I think she'll get a lot of middle-class white money outside of the district because of the fact that she's a female [who] is very strong on women's issues

And

VASQUEZ What's your assessment of an Alatorre candidacy for supervisor?

HUERTA Well Richard is probably the shrewdest Latino elected official there is I think he really knows the art of politics better than anybody else and has a better understanding He did a tremendous job representing Willie Brown's interests I think in 1981 redistricting Then he came into the city council and did an incredible job at dominating that being a new kid on the block He really called the shots with reference to that redistricting He's very close to Bradley just as he was close to Brown He knows where political power is He

gravitates to it He does what he has to do to defend that He still has I think a very strong sense of values [In] a community where he can be effective for us he does He goes out and he'll fight the battle for us If we know of issues as Latino activists he'll be responsive to them and get out there and fight them It's very rare that he would pass up an opportunity to be responsive to the community Unlike I think some other elected officials

VASQUEZ So the bottom line in the halls of city hall is that he knows how to use power?

HUERTA Yeah

VASQUEZ Give me an example

HUERTA Redistricting was the best one But if you need something from city hall there probably isn't a stronger supporter you could have than Richard Alatorre If you aren't a friend of his and you want something from city hall there isn't a worse enemy you could have He's very much like Councilman Art Snyder in that sense They both knew how to work city government to a tee For Richard he was new to city hall and he just in a very short period of time became the master

politician there Probably because he's got more innate sense of political ability than all of his colleagues In terms of the board of supervisor's race I'd really hate to see him square off against Gloria Molina or Congressman Torres Because all three of them have different qualities that they would bring to bare If it weren't a clearly predominantly Latino district that only a Latino could win you could have a situation that someone else could come in and they would polarize the community and split it up Richard is very good at fund-raising Probably the best out of all those people that I've mentioned I think he's catered a lot to developmental interest And I think they would come in to support him on the board

VASQUEZ So there might not be any change in the nature of county government if you say that as it is now it's

HUERTA I think there will be a change because who he would be representing would not be an open-growth district per se I think you'd see more apartments in his supervisorial district

VASQUEZ He is in trouble right now in El Sereno with low-cost housing [Being opposed] by middle-class constituents

HUERTA Right There would be some change because he's not totally responsive to those folks I mean he balances out but his judgment tends to Just as Bradley's been pro-growth I think Bradley's learning now to back off of that somewhat Congressman Torres is an incredible asset in the U S Congress right now He's probably the most effective Latino in all of Congress He has got The liberal Democrats really look to him for leadership on a lot of issues He's really carrying his weight and a lot of other people So it would be a big loss to our community and I don't think that's appreciated He'd be a tremendous fighter on the board I think the guy has a lot of integrity He would be a hard worker

VASQUEZ Is there a dark horse in the wings?

HUERTA Do you have anybody in mind? I don't

VASQUEZ [Laughter] For the historical record let me ask you this as someone who was so very much involved in the '81 reapportionment where is the Latino

community--specifically the Mexican-American community--in May of 1990 in the reapportionment process at this point? What do you think the prospects are?

HUERTA For 1991 redistricting?

VASQUEZ Uh-huh [Affirmative]

HUERTA I think it may

VASQUEZ It's already May of 1990

HUERTA Right I think the lesson I've learned is that we weren't demanding enough We were too compromising in 1981 And we Our position was essentially we wanted districts that could be formulated so that by the end of the decade we'll be in a position of power Well it's past the end of the decade now and really there hasn't been any change at all in terms of numbers in the assembly No change in the senate Congress where there was change it was up front It wasn't because of any vacancies that occurred that we could take care of or take advantage of during the course of the decade And [on the] board of supervisors we've got nothing So I would say we ought to take an even harder line If we had the sources to

[fund] litigation, I'd say we ought to lead off with litigation We'd go in and we'd negotiate how our We don't get what we want We'd say What's the highest priority to us? And go after it I think if we let it be known that we're taking a harder line we'll get a lot more than what we got last time

VASQUEZ Have we got more to negotiate with given the energies for example of [groups] like the Southwest Voter Education Registration Project?

HUERTA Well they're certainly a welcome addition Yeah we have ten more years [of] experience under our belt We've got essentially all the people that were around last time and a new bulk of professionals that were out and grass roots folks who are tired of fighting lost battles We've learned from that experience

VASQUEZ Are you optimistic?

HUERTA No I'm not because elected officials do not give up political power very easily You've really got to demand it And you've got to be able to trade something for it They're not going to turn over power to us because we have the numbers They're not going to turn power

over to us because we're nice guys or because justice and democracy demand that we ought to have it We're only going to get it if we take it And we're only going to take it by lots of hard work organizing people turning people out to vote having our non-citizens become citizens improving education of our people at all levels and working damned hard to achieve it

VASQUEZ Is there anything else you'd like to put on the record for this interview?

HUERTA No thank you

[End Tape 4 Side B]